

JOURNAL
OF THE
SENATE

OF THE
TWENTY-THIRD GENERAL ASSEMBLY

OF THE
STATE OF IOWA,
UNIV. OF
CALIFORNIA

WHICH CONVENED AT THE CAPITOL AT DES MOINES, JANU-
ARY 13, 1890.

DES MOINES:
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OFFICERS OF THE SENATE.

President,
ALFRED N. POYNEER,
Montour.

Secretary,
WILLIAM R. COCHRANE,
Bedford.

First Assistant Secretary, - - - W. F. CARLTON, Spirit Lake.
Second Assistant Secretary, - - - CHAS. BEVERLY, Jefferson.
Engrossing Clerk, - - - - NANNIE J. STULL, Keosauqua.
Enrolling Clerk, - - - - LOU. E. YOUNG, Sioux City.
Sergeant-at-Arms, - - - - PETER MELENDY, Cedar Falls.
Postmaster, - - - - MAUD MURRAY, Winterset.
Doorkeeper, - - - - JOHN HEFFELFINGER, Grundy Center.

NOTE.—Lieut.-Gov. Poyneer was a member of the Senate in the 19th, 20th, 21st, and 22d General Assemblies. Mr. Cochrane was second assistant secretary in the Senate of 1886, and first assistant secretary in that of 1888. Miss Stull was engrossing clerk in the Senate of 1886 and 1888. Mr. Heffelfinger was door-keeper of the House of Representatives in 1888.

THE SENATE OF THE TWENTY-THIRD GENERAL ASSEMBLY.

Districts.	COUNTIES.	NAMES.	ADDRESS.
1	Lee	William G. Kent*	Fort Madison.
2	Van Buren and Jefferson	B. R. Vale	Bonaparte.
3	Davis and Appanoose	William H. Taylor	Bloomfield.
4	Wayne and Lucas	Warren S. Dungan†	Chariton.
5	Union, Decatur, and Ringgold	James B. Harsh	Creston.
6	Taylor and Adams	George L. Finn†	Bedford.
7	Page and Fremont	George W. Perkins*	Farragut.
8	Montgomery and Mills	Thomas Weidman	Red Oak.
9	Des Moines	William W. Dodge**	Burlington.
10	Washington and Henry	John S. Woolson*†	Mt. Pleasant.
11	Warren and Clarke	James H. Barnett	Indianola.
12	Keokuk and Poweshiek	Joel Stewart*†	Grinnell.
13	Wapello	Peter G. Ballingall*†	Ottumwa.
14	Mahaska	Ben McCoy†	Oskaloosa.
15	Marion and Monroe	Ed. R. Cassatt†	Pella.
16	Madison and Adair	Richard Price	Winterset.
17	Dallas, Guthrie, and Audubon	Timothy J. Caldwell†	Adel.
18	Cass and Shelby	W. F. Cleveland*	Harlan.
19	Pottawattamie	William Groneweg	Council Bluffs.
20	Muscatine and Louisa	John M. Gobble*	Muscatine.
21	Scott	William O. Schmidt*†	Davenport.
22	Clinton	Phillip B. Wolfe*†	Dewitt.
23	Jackson	A. G. Kegler	Bellevue.
24	Jones and Cedar	E. B. Bills	Durant.
25	Johnson and Iowa	M. J. Kelly	Williamsburg.
26	Linn	J. H. Smith	Cedar Rapids.
27	Webster and Calhoun	Josiah D. McVay†	Lake City.
28	Marshall	Wm. D. Mills†	Marshalltown.

29 Jasper	Perry Engle *.....	Newton.
30 Polk	C. H. Gatch * †.....	Des Moines.
31 Boone and Story	D. B. Davidson	Madrid.
32 Woodbury	Joseph S. Lawrence	Sioux City.
33 Buchanan and Delaware	Ed. P. Seeds	Manchester.
34 Harrison, Crawford, and Monona	Lemuel R. Bolter * †.....	Logan.
35 Dubuque	James H. Shields *.....	Dubuque.
36 Clayton	Frank D. Bayless ‡.....	Elkader.
37 Hardin, Hamilton, and Wright	William C. Smith *.....	Eagle Grove.
38 Black Hawk and Grundy	Matt Parrott * †.....	Waterloo.
39 Butler and Bremer	Lewis S. Hanchett †.....	Waverly.
40 Fayette and Allamakee	L. B. Mattoon	Elgin.
41 Mitchell, Worth, and Winnebago	Jefferson F. Clyde *.....	Osage.
42 Winneshiek and Howard	Ansel K. Bailey *.....	Decorah.
43 Cerro Gordo, Franklin, and Hancock	N. V. Brower	Garner.
44 Floyd and Chickasaw	Robert G. Reuliger * †.....	Charles City.
45 Benton and Tama	Jacob J. Mosnat *.....	Belle Plaine.
46 Plymouth, Cherokee, and Ida	Adolph F. Meservey	Cherokee.
47 Kossuth, Clay, Palo Alto, Dickinson, and Emmet	A. B. Funk	Spirit Lake.
48 Carroll, Greene, and Sac	Thomas Rich *.....	Glidden.
49 Sioux, O'Brien, Lyon, and Osceola	Orsmund M. Barrett ‡.....	Sheldon.
50 Buena Vista, Humboldt, and Pocahontas	Edgar E. Mack *.....	Storm Lake.

* Elected in 1889, for four years, except Senator Clyde, who was chosen at that time to fill a vacancy occasioned by the resignation of J. Henry Sweney, elected a Representative in Congress. All the other Senators sat in the Twenty-second General Assembly.

† Were also members of the Senate in the Twenty-first as well as the Twenty-second General Assembly.

‡ Sat also in the Senate of the Twentieth and Twenty-first General Assemblies, as well as the Twenty-second.

§ Were also Representatives in the Nineteenth, and Senators in the Twentieth, Twenty-first, and Twenty-second General Assemblies.

¶ Were Representatives in the Twentieth General Assembly.

† Senator Finn was a Representative in the Twenty-first General Assembly, as well as Senator in the Twenty-second. Senator Woolson was in the Senate of the Sixteenth, Seventeenth, Eighteenth, Twenty-first, and Twenty-second General Assemblies. Senator Mills was also a Representative in the Sixteenth General Assembly. Senator Bolter was a Representative in the Eleventh, Fifteenth, Sixteenth, Nineteenth, and Twentieth General Assemblies, and a Senator in the Twenty-first and Twenty-second. Senator Dungan was a Representative in the Eighteenth and Nineteenth General Assemblies, and a Senator in the Ninth as well as the Twenty-second. Senator Hanchett was a Representative in the Nineteenth General Assembly.

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292—By Dodge. Relative to elections.	
Introduced and referred	210
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Resolution concerning	600
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293—By Smith of Linn. Authorizing districts to furnish text-books at cost.	
Introduced and referred	210
Indefinite postponement recommended (see S. F. 2)	550
294—By Dungan. Relating to mutual benefit associations.	
Introduced and referred	210
Reported, with an amendment	403
295—By Ballingall. Appropriation to defray inauguration expenses.	
Introduced, considered, and passed	219
Passed H. R.	280
Enrolled	285
Signed	289
Presented to the Governor	293
Approval announced	366
296—By Groneweg. Relating to institution for deaf and dumb.	
Introduced	219
Referred	219, 348
Reported, with amendments	369
Reported from sifting committee	649
297—By Funk. Relating to powers of boards of supervisors.	
Introduced and referred to committee on judiciary	220
298—By Bailey. Empowering district secretaries to administer oaths.	
Introduced and referred to committee on schools	220
299—By Barrett. Legalizing town of Rock Valley.	
Introduced and referred	220
Reported favorably	370
Taken up (see H. F. 354)	456

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300—By Hanchett. Relative to school text-books.	
Introduced, 220; referred	220, 360
Reported	360, 562
301—By Wolfe. Legalizing acts of Clinton county board of supervisors.	
Introduced and passed	220
Passed H. R.	223
Enrolled	250
Signed and presented to the Governor	252, 254
Approval announced	301
302—By Barnett. Concerning management of permanent school fund.	
Introduced and referred	221
Indefinite postponement recommended	374
Recommendation adopted	457
303—By Dungan. From special committee. Providing for collecting and preserving historical records.	
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Considered and passed	276
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Enrolled, 591; signed	593
Approval announced	596
304—By Gatch. For treatment of persons subject to dipsomania.	
Introduced and referred	231
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305—By Harsh (by request). In relation to the admission of attorneys.	
Introduced and referred to committee on judiciary	231
306—By McCoy. In reference to school text-books.	
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Indefinite postponement recommended (see S. F. 2)	421
307—By Meservey. To pay for investigating university.	
Introduced and referred	236
Indefinite postponement recommended	575
308—By Barrett. To repeal chapter 111, acts 19th G. A.	
Introduced and referred	236
Indefinite postponement recommended	321
Recommendation agreed to	451
309—By Smith of Linn. Passenger fares on railways.	
Introduced and referred	236
Indefinite postponement recommended	320
Recommendation agreed to	452
310—By Smith of Linn. Construction of viaducts.	
Introduced and referred to committee on cities and towns	236
311—By Wolfe. Relating to religious instruction at State institutions.	
Introduced and referred	236
Reported with amendments	404
312—By Parrott. Amending the public printing act.	
Introduced and referred	236
Reported favorably	288
Reported from sifting committee	609
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Enrolled, 766; signed	768
Delivered to Governor	770

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313—By Mattoon (by request). Relative to registered pharmacists.	
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Reported favorably	344
Considered	363, 389, 430, 431
Amended	430, 431
Made special order	363, 389, 419
Passed, 431; passed H. R.	665
Enrolled, 713; signed	746
Presented to the Governor	750
314—By Gobbie. Relating to landlord's liens.	
Introduced and referred	236, 237
Indefinite postponement recommended	322, 501
Recommitted	452
Indefinitely postponed	505
315—By Gatch. Relating to mutual benefit associations.	
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Indefinite postponement recommended	353
Recommendation adopted	506
316—By Stewart. Judges and clerks of election.	
Introduced and referred	237
Indefinite postponement recommended	396
Recommendation adopted	458
317—By Dungan (by request). To pay M. Stone for grading capitol grounds.	
Introduced and referred	251
Indefinite postponement recommended	507
318—By Barrett. In relation to fire insurance.	
Introduced and referred	251
Indefinite postponement recommended	514
319—By Woolson. Appropriation for hospital at Mt. Pleasant.	
Introduced and referred	251
Substitute reported	574
320—By Engle. Relative to shorthand writers.	
Introduced and referred	251
Indefinite postponement recommended	397
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321—By Shields. Establishing an appellate court.	
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322—By Mills. Amending section 1, chapter 32, acts 18th General Assembly.	
Introduced and referred	250
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323—By Lawrence. To amend sec. 2017, code.	
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324—By Lawrence. To authorize consolidation of district townships.	
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325—By Shields. In reference to street railways.	
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326—By Kelly. Legalizing certain proceedings of Johnson county board of supervisors.	
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328—By Gatch. Making appropriation for girls' industrial school.	
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329—By Flinn. Relative to express companies, making part of railroad act applicable to them.	
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330—By McCoy. Legalizing acts of an independent district.	
Introduced and referred	270
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332—By Price (by request). Relative to disposal of fines in cities and towns.	
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335—By Smith, of Linn (by request). Relating to fraternal beneficiary associations.	
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338—By Meservy (by request). To require railroad companies to give leases of grain elevators.	
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339—By Meservy (by request). To amend section 2177, code.	
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341—By Ballingall (by request). To create an additional judicial district.	
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344—By Kelly. To accept and legalize a grant made by Iowa City to the state.	
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345—By Smith, of Linn (by request). In reference to elections, and to provide for the use of Myers's voting machine.	
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351—By Dodge. To amend section 4109, code.	
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353—By Engle. To settle differences by arbitration.	
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354—By Mack. Relating to assessments for taxation, and exemptions therefrom.	
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355—By Seeds. To permit a railway company to pass over the hospital grounds at Independence.	
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356—By Hanchett. Fixing telephone charges.	
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357—By Vale. To amend the statute relating to the sale of petroleum.	
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358—By Ballingall (by request). Granting the city of Ottumwa the State's interest in certain lands.	
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359—By Engle (by request). To punish certain officers for not enforcing the law.	
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362—By Perkins (by request). To pay claim of P. E. Greer.	
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363—By Brower. To legalize independent district of Corwith.	
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364—By Mack. To establish a probate court in each county.	
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369—By Engle. To provide insurance of property against loss by fire or lightning.	
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370—By Engle. To regulate practice of medicine and surgery.	
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371—By Davidson. To license sale of school-books, and provide for their purchase and distribution.	
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372—By Dungan. To protect miners, and laborers in mines.	
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376—By Shields. Relating to county tax levy.	
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377—By Shields. In relation to issuance of bonds by counties.	
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379—By Gatch. Relating to the adoption of children.	
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380—By Dungan (by request). To provide for the use of the Rhines vote-recording machine.	
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381—By Gatch. Concerning assessors in certain cities.	
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382—By Seeds. Compelling railroad companies to issue 1,000 mile passenger rate books.	
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383—By Smith of Wright. Making appropriations for the Boys' Industrial School.	
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384—By Lawrence (by request). In relation to duties of city treasurers.	
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385—By McCoy. To establish three normal schools.	
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386—By Cassatt. In relation to existing bonded indebtedness of counties, cities, and towns.	
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387—By Bailey. From special committee. To defray expenses of visiting committees.	
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388—By Smith of Linn. Relating to compensation of mayors of cities under special charters.	
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389—By McVay. To reimburse commissioners of pharmacy.	
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390—By Caldwell. Regulating bequests and gifts for school and benevolent purposes.	
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391—By Clyde. Legalizing acts of certain additional justices and constables.	
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Reported with amendment	473
Considered, amendment adopted, and passed	508
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392—By Funk. In relation to fourteenth and sixteenth judicial districts.	
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393—By Taylor. Legalizing electric lighting of Bloomfield.	
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394—By Stewart (by request). Legalizing electric lighting of Montezuma.	
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* This bill appears to have got no further. Through some oversight, it was not presented to the President of the Senate for his signature.

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395—By Stewart (by request). Legalizing Deep River Farmers' Alliance Stock company.	
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396—By Dodge. For judiciary committee. Relating to salary of attorney-general.	
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397—By Parrott. For ways and means committee. Providing a board of control for state institutions.	
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398—By Kent. Apportionment of representatives.	
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399—By Clyde. Legalizing the official acts of a deputy recorder of Worth county.	
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400—By Hanchett. Relating to the appointment of religious adviser at Anamosa penitentiary.	
Introduced and referred	407
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401—By Dungan. To amend law relating to appointment of mine inspectors.	
Introduced and referred	407
Reported favorably	483
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402—By Vale. Relating to owners of stallions and blooded horses.	
Introduced and referred	421
Indefinite postponement recommended	513
403—By Vale. To amend section 3977, code.	
Introduced and referred	421
Reported favorably with amendments	513
404—By Price. To relieve certain borrowers of school-fund moneys.	
Introduced and referred	441
Reported favorably	501
Considered and passed	503
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405—By Meservey. From minority of school committee. Providing for free text-books and county uniformity.	
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406—By McCoy. Providing for a semi-centennial compilation of census statistics.	
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407—By Harsh. To amend the pharmacy act.	
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410—By Weldman. Relating to horticulture and forestry.	
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416—By Finn, for committee on schools. Relating to sub-directors' terms of office.	
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417—By Smith of Linn. For reorganizing the judicial districts.	
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418—By Parrott, for committee on ways and means. For additional half-mill tax levy for 1890 and 1891.	
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419—By Wolfe. Affecting salary of messenger in library.	
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420—By Barnett. Relative to an additional hospital for the insane.	
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421—By Dungan (by request). Relative to notices to take depositions.	
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422—By Gatch. To legalize certain ordinances of Polk City.	
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424—By Bayless (by request). Relating to the liability of mine operators.	
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425—By Smith of Linn, for committee on cities and towns. Providing for paying members of city and town boards of equalization.	
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426—By Wolfe, for judiciary committee. Validating a certain conveyance of property in Davis county.	
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427—By Dungan, for special committee. For removal of battle-flags and office of A. G. to capitol.	
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429—By Gatch, Relative to change of township boundaries.	
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430—By Mack, Apportioning representatives.	
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Signed by President	756
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*The "register of bills" shows that this bill passed the Senate on April 9th, but there is no record thereof found in the journal of that date.

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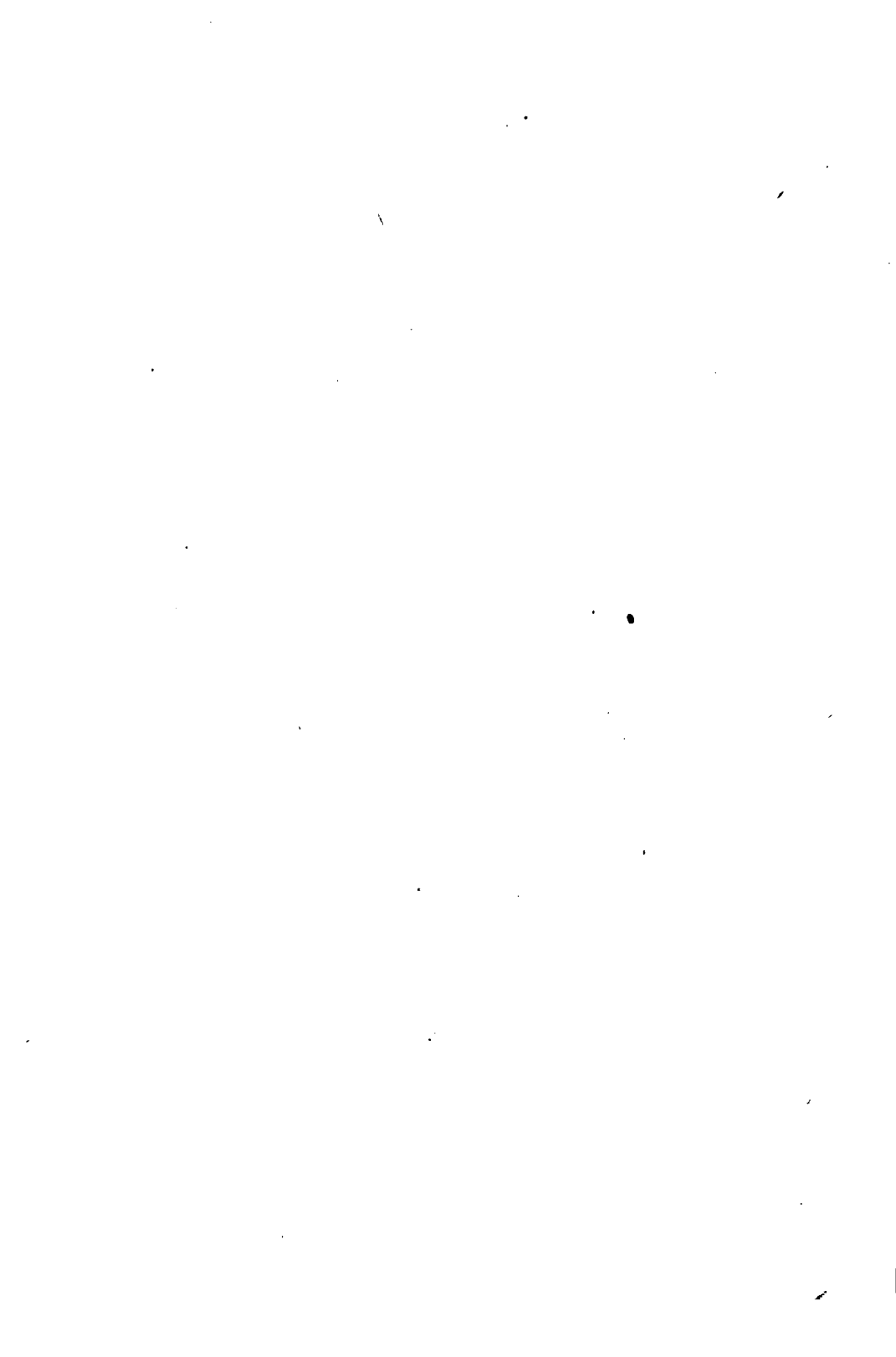
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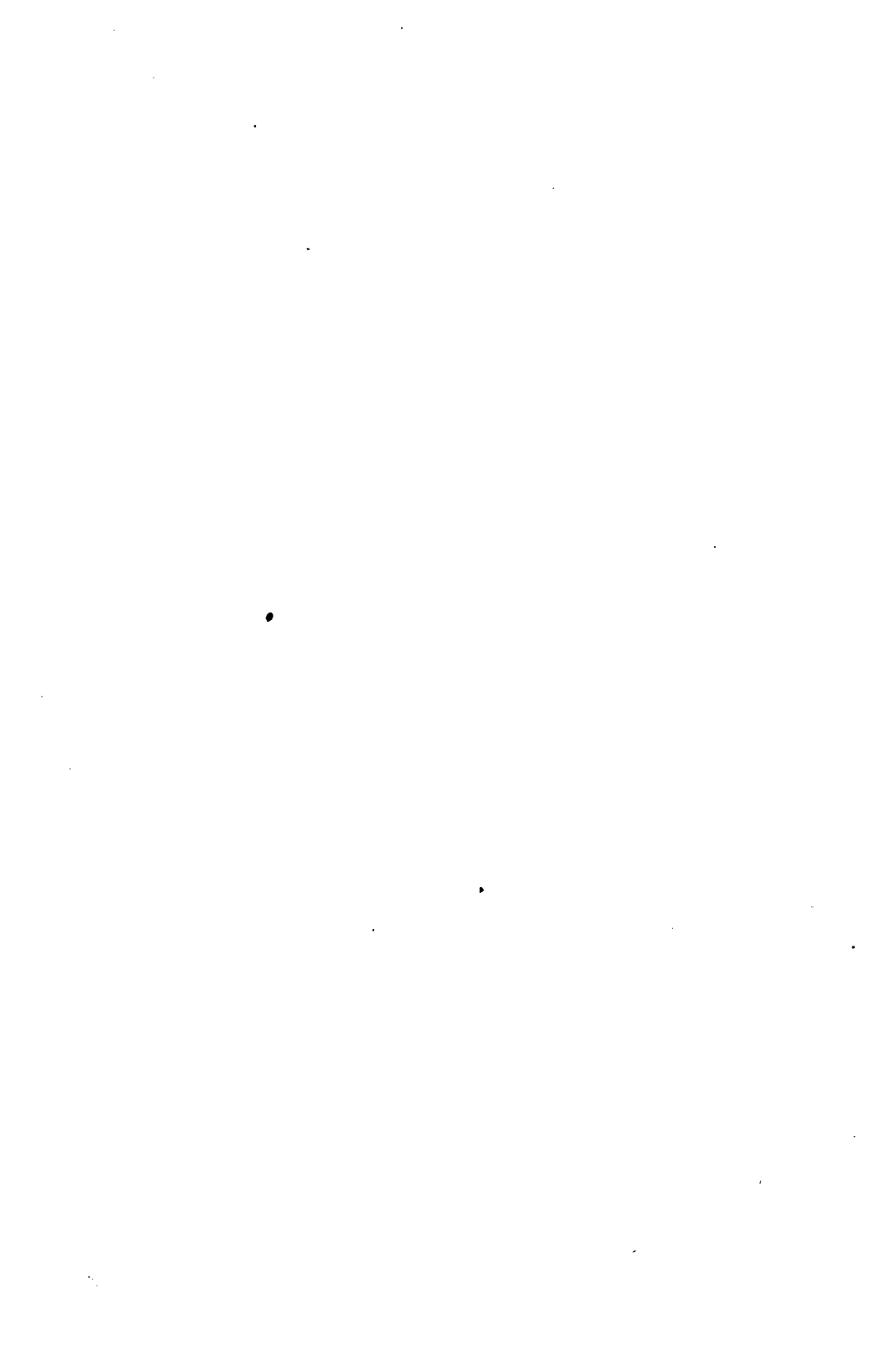
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JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, Jan. 13, 1890. }

PURSUANT to law the Senate of the Twenty-Third General Assembly convened at 2 o'clock P. M., and was called to order by Lieut.-Gov. Hull.

On motion of Senator Brower, C. H. Brock, of Marshall county, was elected temporary secretary.

On motion of Senator Caldwell, E. D. Chassell, of Plymouth county was elected temporary assistant secretary.

On motion of Senator Caldwell, S. W. Snyder, of Story county, was elected temporary sergeant-at-arms.

On motion of Senator Dungan, Col. S. A. Moore, of Davis county, and John S. Walker, of Polk county, were elected temporary door-keepers.

For temporary messengers, Senator Caldwell nominated Chase Pierce; Senator Woolson nominated Lafe Young, Jr.; Senator Brower nominated Forrest Blyler; Senator Dodge nominated T. E. Benedick; Senator Meservey nominated Hattie Wright; Senator Dungan nominated Dannie Butts.

On motion the nominees for temporary messengers were all elected.

For temporary janitors, Senator Vale nominated Wm. Priestly; Senator Meservey nominated Wm. Coalson; Senator Bayless nominated Jeff Logan.

On call of the roll Wm. Coalson and Jeff Logan received the highest number of votes, and were declared elected.

Senator Caldwell moved that a committee of five, with Senator Brower as chairman, be appointed on credentials.

Carried.

Committee appointed as follows: Senators Brower, Harsh, Dungan, Taylor, Cassatt.

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

- 2d District—B. R. Vale.
- 3d District—W. H. Taylor.
- 4th District—Warren S. Dungan.
- 5th District—J. B. Harsh.
- 6th District—G. L. Finn.
- 8th District—Thomas Weidman.
- 11th District—J. H. Barnett.
- 15th District—Ed R. Cassatt.
- 16th District—Richard Price.
- 17th District—T. J. Caldwell.
- 19th District—William Groneweg.
- 23d District—A. G. Kegler.
- 25th District—M. J. Kelly.
- 26th District—J. H. Smith.
- 27th District—J. D. McVay.
- 28th District—W. D. Mills.
- 31st District—D. B. Davidson.
- 32d District—J. S. Lawrence.
- 33d District—Ed P. Seeds.
- 36th District—F. D. Bayless.
- 39th District—L. S. Hanchett.
- 40th District—L. B. Mattoon.
- 43d District—N. V. Brower.
- 46th District—A. F. Merservey.
- 47th District—A. B. Funk.
- 49th District—O. M. Barrett.

ABSENT.

- 14th District—Ben McCoy.
- 24th District—E. B. Bills.

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

- 1st District—William G. Kent.
- 7th District—G. W. Perkins.
- 9th District—W. W. Dodge.
- 10th District—John S. Woolson.
- 12th District—Joel Stewart.
- 13th District—P. G. Ballingall.
- 18th District—W. F. Cleveland.
- 20th District—John M. Gobble.
- 21st District—William O. Schmidt.
- 22d District—P. B. Wolfe.

29th District—Perry Engle.
30th District—C. H. Gatch.
34th District—L. R. Bolter.
35th District—James H. Shields.
37th District—W. C. Smith.
38th District—Matt Parrott.
41st District—J. F. Clyde.
42d District—A. K. Bailey.
44th District—R. G. Reiniger.
45th District—J. J. Mosnat.
48th District—Thomas Rich.
50th District—Edgar E. Mack.

Senator Seeds 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.

Adopted.

On motion of Senator Meservey, the roll of hold-over senators was called to ascertain if hold-over senators desired to change their seats.

On call of the roll Senator Kegler signified a desire to change.

On motion of Senator Bolter, the roll of re-elected senators was called and all signified their desire to retain their former seats.

Senator Kegler and the newly elected senators drew lots and chose their seats.

On motion of Senator Caldwell the senate adjourned until 10 o'clock to-morrow morning, Tuesday, January 14.

SENATE CHAMBER }
DES MOINES, IOWA, Tuesday, Jan. 14, 1890. }

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

Prayer by Rev. O. L. Corbin.

The journal of previous day was read and approved.

Senator Brower, for the committee on credentials, submitted the following report:

SENATE CHAMBER, Jan. 14, 1890.

MR. PRESIDENT—Your committee on credentials report the following named persons as duly elected members of this body for the term of four years from Jan. 1st, 1890, to-wit:

1st District—William G. Kent.
7th District—G. W. Perkins.
9th District—W. W. Dodge.
10th District—John S. Woolson.
12th District—Joel Stewart.
13th District—P. G. Ballingall.
18th District—W. F. Cleveland.
20th District—J. M. Gobble.
21st District—William O. Schmidt.
22d District—P. B. Wolfe.
29th District—Perry Engle.
30th District—C. H. Gatch.
34th District—L. R. Bolter.
35th District—J. H. Shields.
37th District—W. C. Smith.
38th District—Matt Parrott.
42d District—A. K. Bailey.
44th District—R. G. Reiniger.
45th District—J. J. Mosnat.
48th District—Thomas Rich.
50th District—Edgar E. Mack.

We further find that J. F. Clyde, 41st District is elected for the term of two years from January 1st, 1890, to fill vacancy.

N. V. BROWER.
J. B. HARSH.
W. H. TAYLOR.
WARREN S. DUNGAN.
E. R. CASSATT.

On motion of Senator Bayless the report was adopted.

The newly elected senators, except Senator Ballingall, appeared, and 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.

Senator Dodge submitted the following communication and resolution:

MR. PRESIDENT:—I desire to have the accompanying joint resolution read in full, that it be placed on file, and that because of its importance to the people of Iowa, I will ask that it be considered as the first resolution when the permanent organization of the Senate be effected.

JOINT RESOLUTION.

Favoring the World's Fair of 1892 being located at Chicago.

Be it resolved by the General Assembly of the State of Iowa:

WHEREAS: It is proposed to commemorate the landing of Columbus, four centuries ago, by a World's Fair to be held in 1892 in some great city in the United States; and as it is the purpose of this great bazaar to enable the citizens of all christendom to become fully acquainted with the boundless resources of our magnificent country, and to enlighten them on its grandeur and potentialities, it is not only within the province of this body, but it is an imperative duty of the citizens of Iowa to unite their influence, their efforts and their labor in securing the location of said fair in a western city; therefore,

Resolved, That we, the members of the Twenty-third General Assembly of the State of Iowa emphatically declare and favor the West as against the East; that we favor the selection of Chicago as the city most accessible and convenient to the people of our country; that in the Queen City of the West we recognize a truly representative American city, typifying the thrift, push and advancement of the raging, rushing, restless nineteenth century—a city that challenges the admiration of the world for its enterprise, ambition and progress, and whose hearts and homes are large enough to welcome and entertain the multitude of her visitors, great as they may be. A city that stands, as it were, at a gateway between the East and the West; and through which has passed the splendid civilization of this western country.

Resolved, That we urgently request our senators and representatives at the national capital to use their every effort towards obtaining the location of the world's fair for 1892 in the city of Chicago. That the secretary of state be directed to send engrossed copies of these resolutions to each of our senators and representatives in Congress.

Read first and second times and ordered placed on file.

Senator Barnett offered the following concurrent resolution:

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

Moved by Senator Woolson that the resolution pass on file. Carried.

Senator Dungan moved that the Senate proceed to the election of permanent officers.

Senator Bolter moved to amend by deferring the election of permanent officers until two o'clock this afternoon. Adopted.

Motion as amended adopted.

Senator Caldwell offered the following resolution, and moved its adoption:

Resolved, That Mr. M. N. Bell be authorized to place a barber's chair in the cloak room of the Senate at his own expense for the convenience of senators, officers and employees of the Senate.

Adopted.

Senator Kelly moved that the Senate do now adjourn until two o'clock this afternoon. Carried.

Senate adjourned.

AFTERNOON SESSION.

The Senate met at two o'clock pursuant to adjournment and was called to order by Lieut. Governor Hull.

The Senate proceeded to the election of permanent officers.

Senator Meservey nominated Mr. W. R. Cochrane, of Taylor county, for secretary of the senate.

Senator Kelly nominated Wesley A. Stewart, of Iowa county.

Those voting for Mr. Cochrane were—

Senators Bailey, Barnett, Barrett, Brower, Caldwell, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Harsh, Lawrence, Mack, McVay, Meservey, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Wright, Vale, Weidman, Woolson—25.

Those voting for Mr. Stewart were—

Bayless, Bolter, Cleveland, Dodge, Engle, Gobble, Groneweg, Kegler, Kelly, Kent, Mattoon, Mosnat, Rich, Shields, Stewart, Taylor, Wolfe—17.

Absent or not voting:

Senators Ballingall, Bills, Cassatt, Hanchett, McCoy, Mills, Schmidt, Smith of Linn—8.

Mr. W. R. Cochrane having received a majority of the votes cast was declared elected.

On motion of Senator Woolson, leave of absence was granted to Senator McCoy for the day on account of sickness.

Senator Ballingall appeared at the bar of the Senate and took and subscribed to the oath of office.

Senator Meservey nominated W. F. Carlton of Dickinson county for the office of first assistant secretary.

Senator Kent nominated D. H. Campbell of Lee county.

Those voting for Carlton were—

Senators Bailey, Barnett, Barrett, Brower, Caldwell, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Harsh, Lawrence, Mack, McVay, Meservey, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Linn, Smith of Wright, Vale, Weidman, Woolson—26.

Those voting for Campbell were:

Senators Ballingall, Bayless, Bolter, Cleveland, Dodge, Engle, Gobble, Groneweg, Kegler, Kelly, Kent, Mattoon, Mosnat, Rich, Schmidt, Shields, Stewart, Taylor, Wolfe—19.

Absent or not voting:

Senators Bills, Cassatt, Hanchett, McCoy, Mills—5.

Mr. W. F. Carlton having received a majority of the votes cast was declared elected.

Senator Meservey nominated Mr. Chas. Beverly of Greene county for the office of second assistant secretary.

Senator Bayless nominated A. F. Bell, of Benton county.

Those voting for Chas. Beverly were—

Senators Bailey, Barnett, Barrett, Brower, Caldwell, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Harsh, Lawrence, Mack, McVay, Meservey, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Linn, Smith of Wright, Vale, Weidman, Woolson—26.

Those voting for A. F. Bell were:

Senators Ballingall, Bayless, Bolter, Cleveland, Dodge, Engle, Gobble, Groneweg, Kegler, Kelly, Kent, Mattoon, Mosnat, Rich, Schmidt, Shields, Stewart, Taylor, Wolfe—19.

Absent or not voting:

Senators Bills, Cassatt, Hanchett, McCoy, Mills—5.

Mr. Chas. Beverly having received a majority of the votes cast was declared elected.

Senator Meservey nominated Miss Lou E. Young, of Woodbury county, for enrolling clerk.

Those voting for Miss Young were—

Senators Bailey, Barnett, Bayless, Bolter, Brower, Caldwell, Cassatt, Clyde, Davidson, Dodge, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McVay, Meservey, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Taylor, Vale, Weidman, Wolfe, Woolson—41.

Absent or not voting:

Senators Ballingall, Barnett, Bills, Cleveland, Engle, Hanchett, McCoy, Mills, Stewart—9.

Miss Young having received all the votes cast was declared elected.

Leave of absence was granted to Senator Bills on account of sickness.

Senator Meservey nominated Miss Nannie Stull, of Van Buren county, for engrossing clerk.

Those voting for Miss Stull were—

Senators Bailey, Barrett, Bolter, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—42.

Absent or not voting—

Senators Ballingall, Barnett, Bayless, Bills, Finn, Hanchett, McCoy, Mosnat—8.

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

Senator Meservey nominated Peter Melendy, of Black Hawk county, for sergeant-at-arms.

Senator Dodge nominated J. F. Meek, of Warren county.

Senator Davidson was excused from voting for the following reasons:

It is with no disrespect to the nominee of the republican caucus for sergeant-at-arms of the Senate or his friends that I ask to be excused from voting, but that I cannot bring myself to believe that in doing so I would be in any degree fulfilling the promises made by the republican party to the old soldiers, and in this case particularly where the nominee has held public office for a life-time, while his opponent, four years of this time served his country on the battle field with his three sons, one of whom starved to death in Andersonville prison.

Respectfully,

D. B. DAVIDSON.

Senator Thirty-first district.

Those voting for Melendy were—

Senators Bailey, Barrett, Brower, Caldwell, Clyde, Dungan, Finn, Funk, Gatch, Harsh, Lawrence, Mack, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Linn, Smith of Wright, Vale, Weidman, Woolson—25.

Those voting for Mr. Meek were—

Senators Ballingall, Barnett, Bayless, Bolter, Cassatt, Cleveland, Dodge, Engle, Gobble, Groneweg, Kegler, Kelly, Kent, Mattoon, Mosnat, Rich, Schmidt, Shields, Stewart, Taylor, Wolfe—21.

Absent or not voting:

Senators Bills, Davidson, Hanchett, McCoy—4.

Mr. Peter Melendy having received a majority of the votes cast was declared elected.

Senator Meservey nominated Miss Marguerite Mills, of Marshall county, for bill clerk.

Senator Bolter nominated Miss Emma Peterson, of Polk county.

Those voting for Miss Mills were—

Senators Bailey, Barnett, Barrett, Brower, Caldwell Clyde, Davidson, Dungan, Finn, Funk, Gatch, Harsh, Lawrence, Mack, McVay, Meservey, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Linn, Smith of Wright, Vale, Weidman, Woolson—26.

Those voting for Miss Peterson were—

Senators Ballingall, Bayless, Bolter, Cassatt, Cleveland, Dodge, Engle, Gobble, Groneweg, Kegler, Kelly, Kent, Mattoon, Mosnat, Rich, Schmidt, Shields, Stewart, Taylor—19.

Absent or not voting:

Senators Bills, Hanchett, McCoy, Mills, Wolfe—5.

Miss Marguerite Mills, having received a majority of all the votes cast, was declared elected.

Senator Meservey nominated Miss Maud Murray, of Madison county, for postmistress of the senate.

Those voting for Miss Murray were—

Senators Bailey, Barnett, Barrett, Bayless, Bolter, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gatch, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, Mattoon, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—43.

Absent or not voting—

Senators Ballingall, Bills, Gobble, Hanchett, Mack, McCoy, Rich—7.

Miss Murray, having received all of the votes cast, was declared elected.

Senator Meservey nominated Mr. John Heffelfinger, of Grundy county, for doorkeeper.

Those voting for Mr. Heffelfinger were—

Senators Bailey, Barnett, Barrett, Bayless, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dungan, Engle, Finn, Funk, Gatch, Gobble, Harsh, Kelley, Lawrence, Mack, Mattoon, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Taylor, Vale, Weidman, Wolfe, Woolson—38.

Absent or not voting—

Senators Ballingall, Bills, Cassatt, Dodge, Groneweg, Hanchett, Kegler, Kent, McCoy, Mosnat, Rich, Stewart—12.

Mr. John Heffelfinger, having received all of the votes cast, was declared elected.

Senator Meservey offered the following resolution:

Resolved, That John S. Walker, of Polk county; G. Hutchins, of Wright county; E. R. Roberts, of Cerro Gordo county; Jonathan Clark, of Dallas county; T. Donahue, of O'Brien county; A. L. Lightfoot, of Delaware county; Curtis Clark, of Lucas county, and W. W. McKnight, of Madison 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 yeas were—

Senators Bailey, Barnett, Barrett, Bayless, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dungan, Finn, Funk Gatch, Gobble, Harsh, Kelly, Lawrence, Mack, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Shields, Smith of Linn, Smith of Wright, Vale, Weidman and Woolson—33.

The nays were—

Senators Ballingall, Cassatt, Dodge, Engle, Groneweg, Mattoon, Mosnat, Schmidt, Stewart and Taylor—10.

Absent or not voting—

Senators Bills, Hanchett, Kegler, Kent, McCoy, Rich and Wolfe—7.

A majority of the votes cast being in favor of the resolution the gentlemen therein named were declared duly elected assistant doorkeepers of the Senate.

Senator Meservey offered the following resolution:

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

Senator Wolfe moved to amend by striking out the name of Wm. Priestly and inserting the name of Jeff Logan.

The yeas and nays were demanded on the amendment.

The yeas were—

Senators Ballingall, Barnett, Bayless, Bolter, Cassatt, Cleveland-Dodge, Engle, Gobble, Groneweg, Kegler, Kelly, Kent, Mattoon, Mosnat, Rich, Schmidt, Shields, Stewart, Taylor and Wolfe—21.

The nays were—

Senators Bailey, Barrett, Brower, Caldwell, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Harsh, Lawrence, Mack, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Linn, Smith of Wright, Vale, Weidman and Woolson—26.

Absent or not voting—

Senators Bills, Hanchett and McCoy—3.

So the amendment was lost.

The question recurring on the original resolution,

The yeas were—

Senators Bailey, Ballingall, Barrett, Brower, Caldwell, Clyde, Davidson, Dodge, Dungan, Funk, Gatch, Harsh, Lawrence, Mack, Mattoon, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Linn, Smith of Wright, Vale, Weidman and Woolson—28.

The nays were—

Senators Bayless, Bolter, Cassatt, Cleveland, Engle, Gobble, Kegler, Rich, Schmidt, Shields and Stewart—11.

Absent or not voting—

Senators Barnett, Bills, Finn, Groneweg, Hanchett, Kelley, Kent, McCoy, Mosnat, Taylor and Wolfe—11.

So the resolution was adopted and the gentlemen therein named declared elected.

Senator Woolson offered the following resolution:

Resolved, That as hereinafter modified the printed rules and list of committees and places of their meeting of the Senate of the Twenty-second General Assembly, be, and the same are hereby adopted until otherwise ordered; and that the committees on Appropriations, Judiciary and Ways and Means, shall consist of fifteen members each; and the committee on printing shall consist of seven members; and a committee on Congressional and Judicial districts is hereby substituted for the committee on congressional districts, but with the same membership.

Adopted.

Senator Wolfe offered the following resolution:

WHEREAS, the Lieut. Governor has, by virtue of his office, a large correspondence extending to all parts of the state, and his time is so taken up with his legitimate duties as to require his constant attendance; therefore,

Resolved, That the Lieutenant Governor is hereby authorized and empowered to employ a clerk to act during the sessions of the Senate.

Resolved, That such clerk shall receive the same per diem, which shall be drawn in the same manner as now allowed by law for committee clerks.

Adopted.

Senator Meservey offered the following resolution:

Resolved, That Col. S. A. Moore is hereby appointed file clerk of the Senate, at the same compensation paid assistant door keepers.

Adopted.

Senator Dungan offered the following resolution:

Resolved, That the Senate hereby invites the resident clergymen of Des Moines to open the daily 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.

Moved by Senator Weidman that action on this resolution be deferred until the next session of the Senate. Lost.

The question recurring on the resolution it was adopted.

The newly elected officers of the Senate appeared at the bar of the Senate and took the oath of office.

Senator Reiniger moved 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 desire to make.

Carried.

The president appointed Senators Reiniger and Bayless as such committee.

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

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, January 15, 1890. }

Senate met in regular session, Lieutenant-Governor Hull in the chair.

Prayer by Rev. McPherson.

Journal of last session read, corrected and approved.

Senator Dungan offered the following resolution :

Resolved, That Senators Caldwell, Bolter and Seeds be appointed on behalf of the Senate to act in concert with a like committee to be appointed by the House to select a suitable person for mail-carrier of this General Assembly.

Passed over under the rule.

Senator Schmidt offered the following resolution :

Resolved, That the President of the Senate appoint a committee of two to notify the House of Representatives that the Senate is now organized as provided by law, and ready for the transaction of business.

Adopted.

The chair appointed as such committee Senators Schmidt and Meservey.

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.

Senator Barnett moved that a committee on mileage be appointed.

Adopted.

Senators Reiniger and Bayless, the committee appointed to wait on the governor and inform him that the Senate was organized and ready to receive communications, reported that they had performed that duty.

Committee discharged.

The chair announced as the committee on mileage, Senators Barnett, Seeds and Kent.

Senator Woolson offered the following resolution :

First, resolved, That the secretary of the Senate is hereby directed to furnish to the state printer at such hours as may be necessary for the performance of the work upon the daily journal required of the state printer, or as the secretary and

printer may agree, but not later than 9:00 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 the same by noon of the following day the printed daily journal as provided by law, and the sergeant at-arms shall at once cause one copy of said printed journal to be placed on the desk of each Senator.

Second, Immediately preceding the adjournment of the Senate next following the distribution, the president of the Senate shall call for corrections to the journal as printed and distributed, and the secretary shall note on one of said printed copies all corrections, and shall correct the written journal accordingly.

On motion of Senator Woolson, it was referred to a special committee of three with instructions.

The chair appointed as such special committee, Senators Woolson, Price and Kelly.

Senators McCoy and Bills were excused on account of sickness.

Miss Marguerite Mills appeared at the bar of the Senate, and took the oath of office as bill clerk.

On motion of Senator Lawrence, the Senate adjourned until 2 o'clock tomorrow afternoon.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, January 16, 1890. }

Senate met in regular session at 2 o'clock P. M., Lieutenant Governor Hull in the Chair.

Prayer by Rev. W. H. W. Rees.

Journal of previous day read and approved.

Leave of absence was granted to Senators Caldwell, McCoy and Cassatt, on account of sickness.

Miss Nannie J. Stull appeared at the bar of the Senate and took the oath of office as engrossing clerk.

INTRODUCTION OF BILLS—BY LEAVE.

By Senator Seeds, Senate File No. 1, a bill for an act to provide for printing and distributing ballots at the public expense; to regulate voting at State and other elections, and to provide for suitable places in which to hold elections.

Read first and second times and passed on file.

PETITIONS AND MEMORIALS.

Senator Dungan presented petition of mass convention of State Farmers Alliance relative to the election of United States Senator.

Ordered passed on file.

On motion of Senator Dodge, the Senate took up for consideration joint resolution No. 1, relative to the place of holding the world's fair in 1892.

Senator Dodge moved to amend by striking out the words "General Assembly," and inserting the word "Senate," in the first line, and to make it a Senate resolution.

Adopted.

Senator Brower moved to amend by striking out the words "Queen City of the West" and inserting "Chicago."

Adopted.

Senator Finn moved that the resolution pass on file, and that 100 copies be printed for the inspection of senators; that the printed resolution be delivered to the Senate to-morrow morning at ten o'clock and that the resolution be made a special order for that hour.

Lost.

The question recurring on the adoption of the resolution, Senator Bailey offered the following substitute :

Be it resolved by the Senate of the Twenty-third General Assembly of the State of Iowa: That this body would most earnestly express the desire which we believe is common to the people of our entire State, that the great exposition of 1892 be held in the city of Chicago, and to this end this Senate respectfully requests Iowa Senators and Representatives in Congress from Iowa, to use their utmost efforts to secure the selection of Chicago as the site for such exposition.

Senator Gatch moved that the resolution and substitute be referred to a special committee of three of which Senators Dodge and Bailey be members.

Lost.

The question recurring on the substitute of Senator Bailey, by leave of the Senate it was withdrawn.

Senator Dodge moved to amend by striking out the words, "and favor the west as against the east."

Adopted.

Senator Parrott moved to strike out the words "raging, rushing, restless."

Carried.

The question recurring on the adoption of the resolution, the yeas, and nays were demanded.

The yeas were—

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Brower, Cleveland, Clyde, Dodge, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler Kelly, Lawrence, Mack, Mattoon, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—44.

Absent or not voting—

Senators Bolter, Caldwell, Cassatt, Davidson, Kent, McCoy—6.

So the resolution was adopted.

Senator Woolson submitted the following report:

MR. PRESIDENT:—Your special committee, to whom was referred the resolutions with reference to printing and correcting the daily journals 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, first, the same be amended by striking out the words "by noon" at bottom of first page, and inserting the words "before 11 A. M.;" second, by adding to said resolution, the following: Third, the Secretary of the Senate is hereby authorized to engage and place upon the roll of employees of the senate, as hereinafter provided and not to exceed five dollars a day while so employed, a competent person, who shall, under the direction

of the Secretary, prepare said copy of said journal as hereinbefore directed and according to law. And said Secretary is hereby authorized at any time to discharge said person for incompetency or unfaithfulness in the performance of duty, and to appoint another in his stead, who shall also be subject to the foregoing conditions. And that as amended the resolutions do pass.

JOHN S. WOOLSON, Chairman.

RICHARD PRICE.

M. J. KELLY.

The question being on the adoption of the report,
Senator Mills offered the following amendment:

Amend section 3 of said report by striking out the words "a competent person," and inserting the name of "C. H. Brock."

The yeas and nays were demanded.

The yeas were—

Senators Ballingall, Barrett, Bayless, Brower, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Gobble, Groneweg, Hanchett, Harsh, Kegler, Lawrence, Mack, Mattoon, McVay, Meservey, Mills, Mosnat, Perkins, Schmidt, Seeds, Stewart, Taylor, Vale—29.

The nays were—

Senators Bailey, Barnett, Funk, Gatch, Price, Shields, Smith of Linn, Weidman, Woolson—9.

Absent and not voting—

Senators Bills, Bolter, Cassatt, Caldwell, Kelley, Kent, McCoy, Reiniger, Rich, Smith of Wright, Wolfe, Parrott—12.

So the amendment was adopted.

The question recurring on the adoption of the report of committee as amended,

Senator Price moved to strike out all the part relative to discharging the employe.

Carried.

The question recurring on the adoption of the report of the committee as amended it was adopted.

Senator Finn filed a motion to reconsider the report of the committee.

Senator Barnett for the committee on mileage submitted the following report:

MR PRESIDENT—Your committee upon mileage of the senators, respectfully report the following as the list of senators, their mileage to and from their homes to Des Moines, and the amount to which they are entitled under the statute:

NAMES.		
	Miles.	Amount.
Lieutenant-Governor Poyneer.....	184	\$ 9.20
Bailey.....	534	26.70
Ballingall.....	180	9.00
Barnett.....	44	2.20
Barrett.....	460	23.00
Bayless.....	680	34.00
Bills.....	312	15.60
Bolter.....	344	17.20
Brower.....	310	15.50
Caldwell.....	50	2.50
Cassatt.....	94	4.70
Cleveland.....	210	10.50
Clyde.....	338	16.90
Davidson.....	55	2.75
Dodge.....	350	17.50
Dungan.....	110	5.50
Engle.....	70	3.50
Finn.....	310	15.50
Funk.....	400	20.00
Gatch.....	2	.10
Gobble.....	324	16.20
Groneweg.....	2-0	14.00
Hanchett.....	250	12.50
Harsh.....	232	11.60
Kegler.....	530	26.50
Kelly.....	218	10.90
Kent.....	372	18.60
Lawrence.....	474	23.70
Mack.....	284	14.20
Mattoon.....	460	23.00
McCoy.....	130	6.50
McVay.....	201	10.05
Meservey.....	334	16.70
Mills.....	134	6.70
Mosnat.....	218	10.90
Parrott.....	210	10.50
Perkins.....	390	19.50
Price.....	84	4.20
Reiniger.....	304	15.20
Rich.....	200	10.00
Schmidt.....	350	17.50
Seeds.....	314	15.70
Shields.....	408	20.40
Smith of Linn.....	300	15.00
Smith of Wright.....	180	9.00
Stewart.....	100	5.00
Taylor.....	212	10.60
Vale.....	266	13.30
Weidman.....	334	16.70
Wolfe.....	412	20.60
Woolson.....	292	14.60

J. H. BARNETT, *Chairman*,
 WM. G. KENT,
 ED. P. SEEDS,

Committee.

Senator Schmidt, for the committee appointed to notify the House of Representatives that the Senate was organized and ready for business, reported that they had discharged that duty.

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

Carried.

Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, Friday, January 17, 1890. }

Senate met in regular session at 10 o'clock A. M.

Lieutenant-Governor Hull in the chair.

Journal of previous day read and approved.

Senator Dungan offered the following resolution:

Resolved, That the assignment 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 announced the following committee on inauguration of Governor and Lieutenant-Governor: Senators Gatch, Dodge and Ballingall.

On motion of Senator Meservey the Senate adjourned until Tuesday, January 21st, at 2 o'clock P. M.

SENATE CHAMBER, }
DES MOINES, IOWA, TUESDAY, Jan. 21, 1890. }

Senate met in regular session at 2 o'clock P. M., Lieutenant-Governor Hull in the chair.

Prayer by Rev. W. A. Black.

Journal of previous day read and approved.

Senator Caldwell was excused indefinitely on account of sickness.

Senator Taylor, of Davis county, was excused on account of sickness.

INTRODUCTION OF BILLS.

By Senator Finn, Senate File No. 2, a bill for an act creating a board of school book commissioners, and to provide for furnishing text-books for the use of common schools of the State.

Read first and second times and ordered passed on file, to be referred to committee on schools when appointed, and ordered printed.

By Senator Finn, Senate File No. 3, a bill for an act providing for the payment of bank examinations and fixing the fee for the same.

Read first and second times; ordered passed on file, to be referred to committee on banks when appointed, and ordered printed.

By Senator Dodge, Senate File No. 4, a bill for an act to provide for printing and distributing ballots at the public expense, and to regulate voting at State and other elections.

Read first and second times; ordered passed on file and to be referred to committee on elections when appointed, and ordered printed.

By Senator Dodge, Senate File No. 5, a bill for an act to recognize and establish labor day, being the second day of September, as a legal holiday.

Read first time.

Senator Gatch made the point of order that "it is not competent for the Senate to transact any business or take any action except such as pertains to its own organization, or as does not require the concurrent action of the House of Representatives, the other branch of the General Assembly provided for by the constitution of the State, until

duly informed of the organization of the other body, as no other action can be taken by it except as part of a legally organized General Assembly.

The chair decides that the Senate must be its own judge as to its competency to receive bills or transact business. The chair recognizes the fact that the Senate is organized and competent to transact business. The law provides that the General Assembly shall convene on a certain day, and the chair will recognize any senator who wishes to introduce a bill or concurrent resolution, until the Senate, by vote, shall decide it out of order to do so.

Senator Meservey moved that the Senate now adjourn until 2 o'clock to-morrow afternoon.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, Jan. 22, 1890. }

Senate met in regular session at 2 o'clock P. M., Lieut.-Gov. Hull in the chair.

Prayer by Rev. Mr. Rees.

Journal of previous session read, corrected and approved.

Senator Dodge introduced the following resolution:

Resolved, That the Secretary of State be requested to furnish covers for the daily journals of the Senate.

Adopted.

By unanimous consent the Senate reconsidered the vote by which concurrent resolution relative to appointing committee on inauguration, of Governor and Lieutenant-Governor was adopted.

Senator Gatch moved to amend the resolution by striking out the word "three", wherever it occurred, and inserting the word "five."

Adopted.

The resolution as amended was adopted.

The chair announced as additional members of the inaugural committee, Senators Meservey and Shields.

Senators Bolter, Kent, Parrott, Wolfe, McCoy and Taylor were excused indefinitely on account of sickness.

INTRODUCTION OF BILLS.

By Senator Finn, Senate File No. 6, a bill for an act to amend chapter 9 of the Code of 1873, and make the same applicable to private bankers.

Read first and second times and passed on file.

By Senator Finn, Senate File No. 7, a bill for an act to amend section 1034 of the Code of 1873, in reference to the election of County Auditors.

Read first and second times and passed on file.

By Senator Finn, Senate File No. 8, a bill for an act to amend section 326 of the Code of Iowa, in reference to the terms of County Auditor and County Treasurer.

Read first and second times and passed on file.

By Senator Engle, Senate File No. 9, a bill for an act to amend chapter 54 of the acts of the Twenty-second General Assembly, providing for weighing coal at mines.

Read first and second times and passed on file.

By Senator Mack, Senate File No. 10, 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 to enact substitutes therefor.

Read first and second times and passed on file.

By Senator Mack, Senate File No. 11, a bill for an act requiring U. S. flags to be placed in all schools within the State of Iowa, and providing that patriotic music shall be sung and taught.

Read first and second times and passed on file.

By Senator Vale, Senate File No. 12, a bill for an act to limit the liabilities of a State bank.

Read first and second times and passed on file.

By Senator Funk, Senate File No. 13, a bill for an act restraining railway corporations from limiting the life of railway mileage.

Read first and second times and passed on file.

By Senator Cassatt, Senate File No. 14, 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.

Read first and second times and passed on file.

Senator Kelly asked unanimous consent to introduce the following resolution:

Resolved, by the Senate: That no more bills be introduced until this body receives notice from the House that it is organized and ready for business.

On the question shall the resolution be adopted, the yeas and nays were demanded.

The yeas were—

Senators Ballingall, Barnett, Bayler, Bills, Brower, Cassatt, Cleveland, Clyde, Davidson, Dodge, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Mattoon, McVay, Messervey, Mosnat, Perkins, Rich, Schmidt, Shields, Smith of Linn, Smith of Wright, Stewart, Weidman—29.

The nays were—

Senators Bailey, Dungan, Engle, Finn, Funk, Mack, Mills, Price, Seeds, Vale, Woolson—11.

Absent or not voting—

Senators Barrett, Bolter, Caldwell, Kent, Lawrence, McCoy, Parrott, Reiniger, Taylor, Wolfe—10.

So the resolution was adopted.

C. H. Brock and T. Donohue appeared at the bar of the Senate and took the oath of office.

Senator Barnett moved that the Senate adjourn until 2 o'clock Friday afternoon.

Lost.

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

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, Jan. 23, 1890. }

Senate met in regular session at 2 o'clock P. M., Lieut.-Gov. Hull in the chair.

Prayer by Rev. Wm. E. Wilson.

Journal of previous day read and approved.

Senator Weidman offered the following resolution:

Resolved, That the Secretary of State is hereby directed to supply the file clerk with suitable files and covers for bills introduced during the session.

Adopted.

On motion of Senator Schmidt the Senate adjourned until 10 o'clock A. M. to-morrow.

SENATE CHAMBER. }
DES MOINES, IOWA, Friday, Jan. 24, 1890, }

Senate met in regular session at 10 o'clock, A. M., Lieut.-Gov. Hull in the chair.

Prayer by Rev. B. Smith.

Journal of previous day read and approved.

Senators Engle and Weidman were excused.

Senator Bayless moved that the Senate take a recess for one hour, until 11:05 A. M.

Carried.

At 11:05 A. M. the Senate re-convened.

On motion of Senator Seeds the Senate adjourned until 2 o'clock P. M. Tuesday, Jan. 28, 1890.

SENATE CHAMBER, }
DES MOINES, IOWA, Tuesday, Jan. 28, 1890. }

Senate met in regular session at 2 o'clock P. M., Lieut.-Gov. Hull in the chair.

Prayer by Rev. W. A. Black.

Journal of last session read and approved.

Senator Kelly offered the following resolution:

Resolved, by the Senate. That our Senators and Representatives in Congress be, and they are hereby requested to use their influence to secure the passage of a law in which the President of the United States shall be empowered to suspend, for a reasonable time, the tariff laws of the United States whenever it shall come to his knowledge that any article of merchandise offered for sale in the United States or territories is in any manner controlled by combinations or trusts. That the Secretary of State is hereby directed to send copies of this resolution to each of our Senators and Representatives in Congress.

Ordered passed on file and referred to the Committee on Federal Relations when appointed.

Senators Harsh and Gobble were excused indefinitely.

On motion of Senator Meservey, the Senate took a recess until 3 o'clock.

At 3 o'clock P. M. the Senate reconvened.

On motion of Senator Bayless, Senate adjourned until 2 o'clock P. M. to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, January 29, 1890. }

Senate met in regular session at 2 o'clock P. M. Lieut.-Gov. Hull in the chair.

Prayer by Rev. Chas. C. Reynolds.

Journal of last session read and approved.

Senator Woolson offered the following resolution:

Resolved, That until the Senate receives notice from the House that it is organized and ready for business, or until the Senate shall otherwise order, any senator desiring to present a bill for consideration of the Senate, may pass the same to the secretary, who shall number the same in the order of its presentation, and enter the same upon the bill-book opposite its number, and forward the same to the state printer to be printed, and when so printed such bill shall be distributed, according to the general practice, upon the desks of Senators. And when, under the order of the Senate, the formal introduction of bills shall be reached, the bills thus presented shall be taken up in their numerical order and given their first and second readings according to the rules and practice of the Senate, and proper entries made accordingly in the bill-book.

Adopted.

Senator Vale offered the following resolution:

Resolved, That the bill clerk elect of the Senate, be paid the same compensation as is paid assistant door-keepers and file clerk.

Senator Gobble moved to amend by striking out the words "assistant door-keepers and file clerk," and insert the words "committee clerk."

Adopted.

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

Senator Mills offered the following resolution:

Resolved by the Senate, That the Secretary of State is hereby requested to furnish to each senator one copy each of the Laws of the 15th, 16th, 17th, 18th, 19th, 20th, 21st and 22d General Assemblies for the use of Senators of the 23d General Assembly of Iowa, to be delivered upon the order of senators.

Senator Dodge moved to amend by striking out numbers and insert the words "from the First to the Twenty-second General Assemblies inclusive."

Senator Reiniger moved that the Senate adjourn until to-morrow at 10 o'clock A. M.

Lost.

The question recurring on the amendment offered by Senator Dodge, the amendment was lost.

Senator Kegler moved to strike out the general assemblies named and make it include such session laws as are on hand.

Senator Mack offered the following as a reference:

Resolved, That a committee of three be appointed by the President of the Senate to confer with the Secretary of State and ascertain what session laws there are in his hands which may be distributed and make report to the Senate, at its next daily session.

Adopted.

PETITIONS AND MEMORIALS.

By leave, Senator Cleveland presented petition and memorial of Farmers' Alliance of Cass county in relation to election of United States Senator.

Ordered passed on file.

PETITIONS.

Senator Weidman presented petition of seventeen citizens of Montgomery county in relation to a two-cent-fare law, maximum freight rates, uniform school books, Australian ballot, etc.

Ordered passed on file.

Senator Engle presented petition of Farmers' Alliance and ten citizens of Polk and Jasper counties in relation to the election of United States Senator.

Ordered passed on file.

Senator Woolson offered the following resolution:

Resolved, That the custodian of public property is hereby requested to procure suitable badges for the use of the pages of the Senate, at a cost of not exceeding sixty cents each.

Adopted.

The President announced as special committees on session laws Senators Mack, Price and Groneweg.

On motion of Senator McVay the Senate adjourned until 10:30 o'clock to-morrow morning.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday Jan. 30, 1890, }

Senate met in regular session at 10:30 o'clock A. M., Lieut.-Gov. Hull in the chair.

Prayer by Rev. J. Auracher.

Journal of last session read and approved.

Senator Mack, for the special committee on session laws, submitted the following report:

MR. PRESIDENT AND SENATORS—Your committee appointed for the purpose of ascertaining the number of copies of the acts of the past General Assemblies now in the hands of the Secretary of State, and available for distribution, do hereby make report that they have performed that duty and find as follows: That there is now in the hands of the Secretary of State the following number of the acts of the different General Assemblies, viz.:

Acts of the 22d General Assembly, 4,500 copies, bound in paper.
Acts of the 22d General Assembly, 1,400 copies, bound in sheep.
Acts of the 21st General Assembly, 3,115 copies, bound in paper.
Acts of the 21st General Assembly, 1,371 copies, bound in sheep.
Acts of the 20th General Assembly, 2,145 copies, bound in paper.
Acts of the 20th General Assembly, 1,280 copies, bound in sheep.
Acts of the 19th General Assembly, 1,740 copies, bound in paper.
Acts of the 19th General Assembly, 903 copies, bound in sheep.
Acts of the 18th General Assembly, 1,835 copies, bound in paper.
Acts of the 18th General Assembly, 774 copies, bound in sheep.
Acts of the 17th General Assembly, 2,675 copies, bound in paper.
Acts of the 17th General Assembly, 634 copies, bound in sheep.
Acts of the 16th General Assembly, 2,674 copies, bound in paper.
Acts of the 16th General Assembly, 90 copies, bound in sheep.
Acts of the 15th General Assembly, 5,155 copies, bound in paper.
Acts of the 14th General Assembly, 4,876 copies, bound in paper.
Acts of the 13th General Assembly, 4,044 copies, bound in paper.
Acts of the 12th General Assembly, 2,807 copies, bound in paper.
Acts of the 11th General Assembly, 3,481 copies, bound in paper.
Acts of the 10th General Assembly, 2,570 copies, bound in paper.
Acts of the 9th General Assembly, 1,514 copies, bound in paper.
Total number of volumes on hand, 49,584.

That the Secretary of State has no copies of the acts of the General Assemblies prior to the Acts of the Ninth General Assembly for distribution.

Respectfully submitted.

EDGAR E. MACK,
RICHARD PRICE,
WM. GRONEWEG,
Committee.

Passed on file.

Senator Mills, by leave called up his resolution of yesterday referring to distribution of laws of Iowa.

The question recurring on the amendment offered by Senator Kegler to strike out the General Assemblies named and make it "such as are on hand," by leave he amended his amendment so as to read, and make it include the Laws of Iowa "from the Ninth to the Twenty-second General Assemblies inclusive."

Senator Weidman moved to amend the amendment by inserting the words "bound in sheep when on hand," after the word "Iowa," and before the word "from."

Adopted.

The question recurring upon the amendment by Senator Kegler as amended it was adopted.

Senator Bailey moved to strike out the words "one copy each of."
Lost.

The question recurring upon the resolution as amended, it was adopted.

On motion of Senator Kegler the Senate adjourned until 10 o'clock A. M. to-morrow.

SENATE CHAMBER }
DES MOINES IOWA, Friday, January 31, 1890. }

Senate met in regular session at 10 o'clock A. M., Lieut.-Gov. Hull in the chair.

Prayer by Rev. P. O. Mathews.

Journal of last session read and approved.

Senator Funk offered the following resolution:

Resolved, That the file clerk be instructed to place on the desks of newspaper reporters, who desire them, the bills in the same manner now furnished Senators.

Adopted.

Senator McVay moved that the Senate do now adjourn until 2:30 o'clock P. M., Tuesday, February 4, 1890.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, Feb. 4, 1890. }

Senate met in regular session at 2:30 o'clock P. M. Lieut.-Gov. Hull in the chair.

Prayer by Rev. A. H. Shaffer.

Journal of last session read and approved.

Senator Bolter presented a communication and series of resolutions from L. G. Ireland Post, No. 118, G. A. R., relative to the election of officers of the Senate.

Senator Bolter asked that the resolutions be passed on file.

Senator Finn raised a point of order that the paper had no place on the files of the Senate, for the reason that it was neither a memorial or a petition, was not addressed to the Senate, nor intended to influence any future action of that body; but was simply a reflection on its past action in electing its officers and was disrespectful in its language and character.

The chair held that the Senate had the right to protect its records from the introduction of subjects not respectful in language, and reflecting on its absolute right to select its own officers. The chair has been and is willing to recognize the right of petition in its broadest sense, but this paper introduced by the Senator from Harrison is not intended to, and cannot, affect any action of the Senate, is couched in language disrespectful of this body, and the chair holds it not such a paper as is required by any public interest to have a place on the records of the Senate. The chair therefore sustains the point of order of the Senator from Taylor.

Senators Dodge and Clyde were excused indefinitely.

On motion of Senator Parrott, the Senate adjourned until 2:30 o'clock P. M. to-morrow.

SENATE CHAMBER,
DES MOINES, Iowa, Wednesday, February 5, 1890. }

Senate met in regular session at 2:30 o'clock P. M., Lieut.-Gov. Hull in the chair.

Journal of last session read and approved.

Senator Weidman introduced the following resolution:

Be it Resolved by the Senate of the Twenty-third General Assembly of the State of Iowa.

That the recent afflictions of Hon. James G. Blaine, Secretary of State, in the death of a beloved son and daughter, and the sad and tragic bereavement of Hon. B. F. Tracy, Secretary of Navy, in the death of wife and daughter, profoundly move the members of this body, and we hereby tender our deepest sympathy to the families thus doubly bereaved.

Resolved, That these resolutions be spread on the Senate journal, and copies thereof be sent by the Secretary of State, to Hon. James G. Blaine, and Hon. Benjamin F. Tracy.

Adopted.

Senator Caldwell introduced the following resolution:

Resolved, That the adjournment of the Senate, until otherwise ordered, be until 2:30 o'clock P. M. of each succeeding legislative day.

Adopted.

PETITIONS AND MEMORIALS.

Senator Barnett presented petition of Farmers' Alliance of Warren county, relative to election of United States Senator.

Ordered passed on file.

Senator Gatch presented petition of Henry Ellerman and twenty-seven other citizens of Polk county, relative to election of United States Senator.

Ordered passed on file.

Senator Mack offered the following resolution:

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 their work.

Senator Weidman moved to lay the resolution on the table.

Lost.

Senator Woolson moved to amend by inserting the words "not to exceed in value one dollar per week each."

Adopted.

The resolution as amended was adopted.

PETITIONS AND MEMORIALS.

Senator Gatch presented petition of Rev. C. W. Blodgett and 1,383 others, praying for school text-book uniformity by law.

Passed on file.

Senator Engle presented petition of J. S. Davis and 14 others, members of Grange of Jasper county, relative to election of United States Senators.

Passed on file.

Senator Woolson offered the following resolution:

Resolved, That a temporary committee of three be appointed to consider and report upon any changes in or additions to the rules of the Senate, and joint rules of Senate and House, which may be submitted to them.

Adopted.

On motion of Senator Cleveland the Senate adjourned.

SENATE CHAMBER.
DES MOINES, Iowa, Thursday, February 6, 1890. }

Senate met in regular session at 2:30 o'clock P. M. Lieut.-Gov. Hull in the chair.

Prayer by Rev. A. D. Kinzer.

Journal of last session read and approved.

The chair appointed as special committee on rules: Senators Woolson, Bolter and Dungan.

Senator Parrott offered the following resolution:

Resolved, That a special committee of three be appointed to examine as to assignment of seats of reporters, and to confer with the Custodian of the Capitol, in relation to providing additional accommodations for reporters.

Adopted.

PETITIONS AND MEMORIALS.

Senator Gobble presented the following;

To the President and Members of the Senate:

The undersigned Commissioners appointed by the Governor to visit and examine Industrial Homes for Adult Blind, now established in other States, have performed that duty, and have in their possession various articles manufactured by blind men and women, which they desire to place in one of the rooms of which your honorable body has control. They will occupy but a small space in one of the committee rooms.

Very respectfully,

L. A. RILEY,
D. M. FOX,
LORANE MATTICE.

Des Moines, Iowa, February 6, 1890.

Senator Gobble moved that a room be placed at the disposal of the committee, as requested, under direction of the Custodian.

Carried.

Senator Vale presented a series of resolutions adopted by the Iowa Improved Stock Breeders' Association, in favor of laws against trusts and combines; in relation to Farmers' Institutes, favoring the continuation of the office of Dairy Commissioner, the oleomargarine law, etc.

Passed on file.

On motion of Senator Schmidt, the Senate adjourned until 10 o'clock A. M., to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, February 7, 1890. }

Senate met in regular session at 10 o'clock, A. M. Lieut.-Gov. Hull in the chair.

Prayer by Rev. H. O. Breeden.

Journal of last session read, corrected and approved.

The President announced as the special committee on assignment of seats to newspaper reporters, Senators Parrott, McVay and Kelly.

Senator Mack sent to the Secretary's desk to have read, a communication from L. R. Baker, of Livermore, relative to certain resolutions heretofore presented by Senator Bolter, in regard to soldiers as officers of the Senate.

Read and returned to Senator Mack.

On motion of Senator Meservey, the Senate adjourned until 2:30 o'clock P. M., Tuesday, February 11, 1890.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, Feb. 11, 1890. }

Senate met in regular session at 2:30 o'clock P. M., Lieut.-Gov. Hull in the chair.

Prayer by Rev. W. F. Cronk.

Journal of last session read and approved.

Senator Weidman presented a resolution from Abner Kearney Post, No. 15, G. A. R., Glenwood, Iowa, relative to amendment of chapter 105 of the laws of the Twenty-second General Assembly.

Passed on file.

Senator Mack introduced the following concurrent 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 and Secretaries 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, (\$7.00) per copy for each set of books.

Passed on file.

PETITIONS AND MEMORIALS.

Senator Engle presented memorial of friends of temperance of Jasper county relative to and favoring the retention of the prohibitory law.

Passed on file.

Senator Harsh presented petition of citizens of Ringgold county relative to and favoring two cent fares, joint rates, maximum freight rates, uniformity in school books, etc.

Passed on file, and referred to the committee on appropriations when appointed.

Senator Harsh presented a petition of citizens of Decatur county favoring the election of W. B. Allison as United States Senator.

Passed on file.

Senator Seeds presented a petition of E. A. Putnam and twenty-seven others, citizens of Delaware county, favoring the retention of the prohibitory law.

Passed on file.

Senator Seeds presented a petition of business men of Delaware county in relation to amending section 4299, chapter 2, title XVIII of the code.

Passed on file.

Senator Mack presented a remonstrance of citizens of Neola and vicinity against the election of Wm. Larrabee, and favoring the election of W. B. Allison to the United States Senate.

Passed on file.

Senator Clyde presented a petition of citizens of Mitchell county, favoring 2-cent passenger fares, joint freight rates, maximum freight rates, uniformity of school books, laws against trusts, etc.

Passed on file and referred to committee on railroads, when appointed.

Senator Seeds presented a petition of fourteen adult women and mothers of Delaware county, against the repeal of the prohibitory law.

Passed on file.

Senator Parrott, for the special committee on assignment of seats to newspaper reporters, submitted the following report:

MR. PRESIDENT: Your special committee appointed to examine as to assignment of seats of reporters, and confer with the custodian of the Capitol in relation to providing additional accommodations for reporters, beg leave to submit the following report: That under a resolution adopted by the Senate on the 17th day of January the assignment of seats, and supervision of reporters, was delegated to the Secretary of the Senate. That under this resolution, the secretary assigned seats as follows: No. 51, *State Register*; 52, *Associated Press*; 53, *Leader*; 54, *Sioux City Journal*; 55, *Daily Capital*; 56, *Cedar Rapids Gazette*; 57, *Chicago Journal*; 58, *Des Moines News*; 59, *Ottumwa Courier*; 60, *Inter-Ocean*; 61, *Dubuque Herald*; 62, *Chicago Times*; 63, *Chicago Tribune*; 64, *Marshalltown Times*.

This assignment takes all the seats in the reporters' galleries. We find that there are several reporters representing dailies, both inside and outside the State desiring seats, and in order to accommodate them, we recommend the adoption of the following:

Resolved, That the Custodian of the Capitol be and he is hereby instructed to provide four tables with drawers and locks, at an expense not to exceed \$6.00 each, and place them in front of the secretary's desk, and that the Secretary of the Senate make assignment to reporters now without seats in the regular station.

MATT. PARROTT,
J. D. McVAY,
M. J. KELLY.

Report of committee adopted.

On motion of Senator Seeds, the Senate adjourned until 2:30 o'clock P. M., to-morrow.

SENATE CHAMBER.
DES MOINES, IOWA, Wednesday, Feb. 12, 1890. }

Senate met in regular session at 2:30 o'clock P. M., Lieut. Gov. Hull at the chair.

Prayer by Rev. O. L. Corbin.

Journal of last session read and approved.

First Assistant Secretary Carlton was granted leave of absence until Tuesday, February 18, 1890.

MESSAGE FROM THE HOUSE.

MR. PRESIDENT: We have been appointed a committee from the House to inform the honorable Senate that the House has effected a temporary organization by the election of Hon. L. D. Hotchkiss as temporary Speaker, and Henry S. Wilcox as temporary clerk.

J. C. BEEM,
GEO. W. BALL,
Committee.

PETITIONS AND MEMORIALS.

Senator Gobble presented a petition of Shelby Norman Post, G. A. R., of Muscatine, protesting against appropriation of money for erecting soldiers' monuments, and favoring more liberal appropriations for hospital accommodations at the Soldiers' Home at Marshalltown.

Passed on file.

Senator Dungan presented petition of Past Department Commander E. A. Consigny, G. A. R., of Iowa, relative to providing a suitable place in the new capitol building for the battle flags belonging to Iowa regiments.

Passed on file.

Senator Taylor moved that the Senate adjourn until 2:30 o'clock, P. M., to-morrow.

Senator Stewart moved to amend by making it 10 o'clock, A. M., Friday. Lost.

The question recurring on the original motion, it was adopted.

SENATE CHAMBER. }
DES MOINES, IOWA, Thursday, February 13, 1890. }

Senate met in regular session at 2:30 o'clock, P. M., Lieut.-Gov. Hull in the chair.

Prayer by Rev. H. B. Davis.

Journal of last session read and approved.

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA, EXECUTIVE OFFICE, }
DES MOINES, Feb. 13, 1890. }

MR. PRESIDENT: I am instructed by the Governor to deliver to your honorable body a message in writing, together with the report of the Iowa Soldiers' Monument Commission.

FRED'K. W. HOSSFELD,
Private Secretary,

The chair submitted the communication received from the Governor, being the biennial message, which was read in part, and on motion of Senator McVay, the further reading was dispensed with, and the message was passed on file to be referred to proper committees when appointed.

The report of the Iowa Soldiers' Monument Commission was also submitted and read in part.

On motion of Senator Bailey, the further reading was dispensed with, and report passed on file.

The President submitted a communication from the Auditor of State, relative to issuing warrants for mileage, etc., to members of the General Assembly.

Read and passed on file.

On motion of Senator Perkins, the Senate adjourned until 10 o'clock, A. M., to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, February 14, 1890. }

Senate met in regular session at 10 o'clock, A. M., Lieut.-Gov. Hull in the chair.

Prayer by Rev. H. P. Dudley.

Journal of last session read, corrected and approved.

PETITIONS AND MEMORIALS.

Senator Bills presented petition of Henry Miller and 30 others, of Cedar county, relative to and favoring state uniformity in school books.

Passed on file to be referred to committee on schools, when appointed.

Senator Woolson offered the following resolution:

Resolved, That the Secretary is hereby directed not to enter upon the journal of the Senate the full text of those communications to the Senate, which by law are directed to be bound with the public documents.

Read and passed over until next legislative day.

On motion of Senator Bayless, the Senate adjourned until 2:30 o'clock, P. M., Tuesday, February 18, 1890.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, Feb. 18, 1890. }

Senate met in regular session at 2:30 o'clock P. M., Lieut. Gov. Hull in the chair.

Prayer by Rev. W. H. Johnson.

Journal of last session read and approved..

MESSAGE FROM THE HOUSE.

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

HENRY S. WILCOX,
Temporary Chief Clerk.

Senator Caldwell moved that the resolution be returned to the House with the statement that the Senate has received no official notice of the organization of the House.

Senator Dungan moved as a substitute that the message be passed on file.

Adopted.

PETITIONS AND MEMORIALS.

Senator Groneweg presented memorial of voters of Neola, Iowa, relative to railroad legislation.

Passed on file to be referred to committee on railroads when appointed.

Senator Engle presented petition of voters of Jasper county in regard to selling tobacco to minors.

Passed on file.

Senator Davidson presented petition of voters and citizens of Boone county relative to retention of prohibitory law.

Passed on file.

Senator Weidman presented petition of W. H. Parker and 103 others of Montgomery county, favoring the election of Wm. B. Allison to the United States Senate.

Passed on file.

Senator Engle presented petition of Knights of Labor at Marshalltown, protesting against the election of Wm. B. Allison to the United States Senate.

Passed on file.

Senator Barnett presented petition of voters of Warren county relative to the taxation of property incumbered by mortgage.

Passed on file.

Senator Seeds presented petition of citizens and voters of Delaware county favoring the election of Wm. B. Allison to the United States Senate.

Passed on file.

Senator Finn presented petition of John Flick and 108 other citizens of Taylor county relative to and favoring the election of Wm. B. Allison as United States Senator.

Passed on file.

Senator Finn presented petition of citizens of Adams county favoring the election of Wm. B. Allison as United States Senator.

Passed on file.

Senator Reiniger introduced the following concurrent resolution:

Resolved by the Senate, the House concurring:

First—That our Senators in the Congress of the United States are hereby instructed and our Representatives requested to use their influence to secure the passage of a law prohibiting the existence and formation of all trusts and combinations whose intent or object is to prevent full and free competition in the importation, transportation or sale of articles of commerce, use or consumption, imported into the United States; or in the production, manufacture or sale of articles of domestic growth or production, or domestic raw material that competes with any similar article upon which a duty is levied by the United States, intended for and which shall be transported from one state or territory to another for sale, use or consumption.

Second—That a copy of this resolution be sent to our Senators and Representatives in Congress.

Passed on file, to be referred to committee on federal relations when appointed.

Senator Reiniger introduced the following concurrent resolution:

Resolved by the Senate, the House concurring:

First—That the Executive Council is hereby directed to assign a suitable room in the capitol building to the Adjutant-General for an office.

Second—That the Executive Council provide for the removal of the regimental flags and colors of Iowa regiments of the war of the rebellion to the capitol building, and for their preservation in hermetically sealed glass cases or some other equally safe manner, and for their storage in the Adjutant-General's office or other suitable place accessible to visitors.

Passed on file, to be referred to proper committee when appointed.

PETITIONS AND MEMORIALS.

Senator Price presented memorial of M. R. Stewart, Secretary of Adair county farmers' institute, relative to state uniformity in school books, and an appropriation in aid of farmers' institutes.

Passed on file.

The President presented memorial of G. A. R. Post at Sioux Rapids relative to flags in public schools.

Passed on file.

Senator Brower presented memorial of teachers' association of Cerro Gordo county, favoring more liberal appropriations for teachers' institutes.

Passed on file, to be referred to Committee on Schools when appointed.

Senator Gatch presented petition of Ivy Alliance of Polk county, opposing the election of Allison as United States Senator.

Passed on file.

On motion of Senator Funk the Senate adjourned until 2:30 o'clock P. M., to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, Feb. 19, 1890. }

Senate met in regular session at 2:30 o'clock p. m., Lieut. Gov. Hull in the chair.

Prayer by Rev. J. V. Schofield.

Journal of last session read and approved.

Senator Harsh presented the following concurrent resolution:

Resolved by the Senate, the House concurring:

That the President of the Senate and Speaker of the House be and are hereby directed each to appoint a committee of three from their respective bodies to act as a special joint committee to investigate combinations or trusts in Iowa, and, whether there exists or has recently existed within the State, any combination or understanding by or between any persons, firms or corporations by reason of which the price or prices of any article, articles or commodity of any sort or kind have been or is now being controlled in such way as to prevent competition or increase the price to purchasers or consumers or to diminish the sum paid to producers of said article, articles or commodities.

Said committee is specially charged to inquire into and investigate whether or not there is any combination, understanding, rule or regulation between manufacturers or publishers of school books and wholesale or retail dealers therein whereby competition between sellers is avoided or prevented and the price of school books regulated, maintained, or affected to the detriment or disadvantage of purchasers for use.

Said committee to have power, if necessary, to hold sessions at any point in the state, summon witnesses, employ a clerk or stenographer, appoint a sergeant-at-arms, compel the production of books and papers and to do generally anything fit and proper in the judgment of said committee to properly and effectively carry out the spirit and intent of this resolution.

The members of said committee to be entitled when in session at other places than in Des Moines to mileage and expenses, and when necessarily absent on work of said committee, to be excused from other committee work and from attendance on the sessions of their respective bodies.

Said committee may hold sessions during the time intervening between the adjournment of the Twenty-third and the assembling of the Twenty-fourth General Assemblies, and may make a supplementary report to the Twenty-fourth General Assembly, but shall also at the earliest practicable date make a report to the Twenty-third General Assembly. Said report may be by recommendation, bill, or otherwise.

Passed over under the rule.

Senator Woolson from the temporary Committee on Rules submitted the following report:

MR. PRESIDENT: Your temporary Committee on Rules appointed to consider and report upon changes in or additions to the rules of the Senate, and joint rules of Senate and House, beg leave to present the accompanying rules, and recommend their adoption as the rules of the Senate. They embody the amendments your committee deemed desirable. These amendments, with very few exceptions, merely conform the rules now in force more clearly to the general practice of the Senate. Wherever an addition has been made, the object has been to simplify and expedite the proceedings of the Senate.

Your committee, upon consideration of the matter, have not deemed it expedient at this time to attempt any amendment of the joint rules of Senate and House. Your committee recommend that any changes therein be deferred until the committee on rules shall have been regularly appointed, when they can confer with a like committee of the House and obtain joint action with reference thereto.

JOHN S. WOOLSON,
L. R. BOLTER,
WARREN S. DUNGAN,
Committee.

PETITIONS AND MEMORIALS.

Senator Gobble presented three petitions of farmers and business men of Louisa and Muscatine counties remonstrating against the election of Wm. B. Allison as United States Senator.

Passed on file.

Senator Price presented petition of 145 citizens of Madison and Warren counties favoring the election of Wm. B. Allison as United States Senator.

Passed on file.

Senator Engle presented petition of citizens of Jasper county favoring the election of United States Senator by popular vote.

Passed on file.

Senator Kelly, by Cleveland, presented petition of twenty-four citizens of Iowa county, favoring the election of Wm. Larrabee as United States Senator.

Passed on file.

Senator Mack presented petition of fifty-four citizens of Buena Vista county, favoring the election of Wm. B. Allison as United States Senator.

Passed on file.

Senator Finn presented petition of citizens of Adams county. Same subject and purport.

Passed on file.

Senator Dungan presented petition of citizens of Lucas county. Same subject and purport.

Passed on file.

Leave was granted Senator Price to withdraw petition of citizens of Madison and Warren counties relative to election of United States Senator, to be presented to the House.

Senator Weidman offered the following resolution :

Resolved, That after being presented all petitions shall be returned to the Senators presenting them, provided the Senators may so desire.

Passed over under the rule.

Senator Woolson moved that Senator Harsh's resolution, relative to appointing special committee, be taken up to-morrow, immediately after reading of the journal.

Adopted.

On motion of Senator Gobble the Senate took a recess until four o'clock.

At four o'clock the Senate reconvened and was called to order by Senator Bolter.

Senator Weidman moved that the Senate do now adjourn until 10:30 o'clock A. M. to-morrow.

Senator Caldwell moved to amend by making it 2:30 P. M.

Lost.

The question recurring on the original motion it was adopted.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, Feb. 20, 1890. }

Senate met in regular session at 10:30 o'clock A. M., Lieut. Gov. Hull in the chair.

Prayer by Rev. F. Litzrodt.

On motion of Senator Reiniger reading of the journal was dispensed with until the printed copies are placed upon the desks.

The special order being a resolution offered by Senator Harsh relative to trusts and combinations, and a committee on same was passed over until after the reading of the journal.

Chief Door-keeper Heffelfinger was granted leave of absence from Friday, February 21, until Tuesday, February 25.

On motion of Senator Dungan the concurrent resolution, relative to appointment of mail carrier, was taken up.

Senator Barnett moved as a substitute that his resolution on the same subject be adopted, and leave was granted to amend by striking out the words "three from the House" and insert the words "two from the House."

On the question, Shall the substitute be adopted? the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barnett, Bayless, Cleveland, Engle, Gobble, Groneveg, Hanchett, Kegler, Mattoon, Mills, Rich, Schmidt, Stewart, Taylor, Vale—16.

The nays were:

Senators Ballingall, Brower, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Harsh, Kelly, Lawrence, Mack, McVay, Meservey, Parrott, Perkins, Price, Reiniger, Shields, Smith of Linn, Smith of Wright, Weidman, Woolson—23.

Absent or not voting:

Senators Barrett, Bills, Bolter, Caldwell, Cassatt, Dodge, Kent, McCoy, Mosnat, Seeds, Wolfe—11.

So the substitute was lost.

The question recurring on the original resolution, it was adopted.

Senator Bayless offered the following resolution:

Resolved, That Clyde Beall be elected messenger to carry messages between the door and this body and to be subject to the order of the chief door-keeper.

Adopted.

Senator Reiniger offered the following concurrent resolution:

Resolved by the Senate, the House concurring:

That the Senate shall meet the House in joint convention at 2:30 o'clock, P. M., of Thursday, February 20, to canvass the vote for Governor and Lieutenant Governor, cast at the general election in the State in November, A. D. 1889.

Adopted.

Senator Dungan offered the following resolution:

Resolved, That the Secretary of State is hereby directed to furnish the file clerk with suitable covers for the daily journals of the House and House bills, similar to those heretofore furnished for the daily journals of the Senate.

Adopted.

Senator Weidman offered the following resolution:

Resolved: That all ministers who officiated prior to the passing of the resolution governing the services of ministers to open this body by prayer, be allowed the amount for their services as is paid ministers since the adoption of said resolution.

Adopted.

MESSAGE FROM THE HOUSE.

A committee from the House appeared and officially informed the Senate that the House is permanently organized.

MESSAGE FROM THE HOUSE.

MR. PRESIDENT: I am directed to inform your honorable body that the House has passed the following resolution with which the concurrence of the Senate is asked: Relating to canvassing the votes for Governor and Lieutenant Governor.

HENRY S. WILCOX,
Chief Clerk.

MESSAGE FROM THE HOUSE.

MR. PRESIDENT: I am directed to inform your honorable body that the house has passed the following resolution with which the concurrence of the Senate is asked: Relative to a committee to wait upon the Governor.

HENRY S. WILCOX,
Chief Clerk.

HOUSE MESSAGES.

On motion of Senator Schmidt, House messages were taken up.

The Senate considered House resolution relative to joint committee to wait on the Governor.

Senator Lawrence moved to amend by striking out the word "five" and insert the word "four" and strike out the word "three" and insert the word "two."

Adopted.

Senator Reiniger moved to strike out the word "House" in the seventh line and insert the words "Twenty-third General Assembly."

Adopted.

The resolution as amended was then concurred in. House resolution relative to joint convention was then considered.

Senator Kelly moved to amend by striking out "2 o'clock" and inserting "2:30 o'clock."

Adopted.

Senator Bailey moved to amend by striking out the word "January" and inserting the word "February."

Adopted.

The resolution as amended was concurred in.

Senator Reiniger offered the following concurrent resolution:

Resolved by the Senate, the House concurring:

That the joint rules of the Twenty-second General Assembly be adopted by this General Assembly until others are adopted in their place.

Adopted.

On motion of Senator Clyde the concurrent resolution relative to the purchase of Codes was taken up.

Senator Mack offered the following substitute for resolution heretofore offered by him relative to the purchase of Codes:

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 and Secretary of the Senate and Clerk of the House a copy of McClain's code or a copy of Miller's code, as each may select, *provided* that the price to be paid shall not exceed seven dollars per copy for each code.

Senator Harsh offered the following amendment: "And provided further that only such members of this General Assembly as were not members of the Twenty-second General Assembly be furnished such codes," the State having already recently furnished codes to the remaining members.

Senator Engle moved to lay the resolution and amendments on the table.

Lost.

The question recurring on the amendment offered by Senator Harsh the yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Barnett, Davidson, Dungan, Engle, Gobble, Harsh, Lawrence, Mattoon, Seeds, Taylor, Weidman—13.

The nays were:

Senators Bayless, Bolter, Brower, Caldwell, Cassatt, Cleveland, Clyde, Finn, Funk, Gatch, Groneweg, Hanchett, Kegler, Kelly, Mack, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Shields, Smith of Linn, Smith of Wright, Stewart, Vale, Woolson—30.

Absent or not voting:

Senators Barrett, Bills, Dodge, Kent, McCoy, Mosnat, Wolfe—7.

So the amendment was lost.

Senator Stewart moved to amend by having the cost of the codes charged to the Senators obtaining them. There being no votes in the affirmative the amendment was lost.

The question recurring on the substitute offered by Senator Mack it was adopted. The question recurring on the adoption of the resolution, it was adopted.

PETITIONS AND MEMORIALS.

Senator Parrott, for Senator McCoy, presented petition of the Garfield Farmers' Alliance relative to election of United States Senator.

Passed on file.

Senator Meservey presented petition of A. M. Hunter and forty-eight others of Benton county relative to election of United States Senator.

Passed on file.

On motion of Senator Weidman the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

Senate met in regular session at 2 o'clock, P. M., and was called to order by Lieut.-Gov. Hull.

Journal of yesterday was read in part and approved.

On motion of Senator Finn further reading of the journal was dispensed with.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, being the concurrent resolution of Senator Harsh, relative to special joint committee to investigate trusts and combinations.

MESSAGE FROM THE HOUSE.

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following resolution, the concurrence with which the Senate is asked: Relative to appointing visiting committees.

HENRY S. WILCOX,
Chief Clerk.

MESSAGE FROM THE HOUSE.

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the amendments proposed by the Senate to the following concurrent resolutions:

Relative to joint committee to wait on the Governor.

Relative to meeting in joint convention to canvass vote for Governor and Lieutenant-Governor.

The House has also concurred in the following concurrent resolutions proposed by the Senate:

Relative to appointing committees to make arrangements for inauguration of Governor and Lieutenant-Governor.

Relative to joint committee on mail carrier.

HENRY S. WILCOX,
Chief Clerk.

HOUSE MESSAGES.

Senator Woolson moved to suspend the special order under consideration and take up House messages, after which to resume consideration of special order.

Carried.

The Senate took up House concurrent resolution relative to appointment of visiting committees.

The Senate concurred in the resolution.

The President appointed Senators Smith of Linn, and Shields of Dubuque, as committee on part of the Senate to wait on the Governor.

The Senate resumed consideration of the special order, being resolution of Senator Harsh relative to committee on trusts and combines.

Senator Finn moved that the resolution be printed and referred to the appropriate committee, pending which a committee from the House appeared and informed the Senate that the House was ready to receive the Senate in joint session.

The hour having arrived for joint session the Senate was requested by the President to accompany him in a body to the House.

Senator Seeds was appointed to act as a teller for the Senate.

The Senate then went into joint convention.

JOINT CONVENTION.

The Senate appeared for joint convention. Lieut.-Governor J. A. T. Hull, President of the Senate, called the joint convention to order.

Mr. Ed. P. Seeds was announced as teller on behalf of the Senate, and Mr. W. H. Ware was announced as teller on behalf of the House.

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

Messrs. Addie, Arnold, Austin, Bailey, Ball, Ballingall, Barnett, Barrett, Bayless, Beem, Blythe, Bolter, Briggs, Brower, Brown, Byers, Caldwell, Cassatt, Chamberlain, Chantry, Chase, Clarke, Cleveland, Clyde, Coyle, Cutting, Davidson, Davie, Dayton, Dobson, Dodge, Dolph, Dungan, Eckles, Eilers, Ellis, Engle, Estes, Ewart, Felkner, Field, Finn, Funk, Gardiner of Clinton, Gardner of Washington, Gatch, Gates, Gilbert, Gitchell, Glattly, Gobble, Graeser, Groneweg, Hamilton, Hanchett, Harsh, Hart, Head, Hendershott, Hipwell, Hobbs, Holbrook, Holiday, Hornish, Horton, Hoppers, Hotchkiss, Jewell of Mahaska, Jewell of Winneshiek, Jewett, Johnston of Bremer, Johnston of Dubuque, Kegler, Kelly, Knoll, Kyte, Lane, Law, Lawrence, Letovsky, Lewis, Luke, Lund, Mack of Buena Vista, Mack of Madison, Marti, Mattoon, McCarthy, McDermid, McFarland, McGavren, McVay, Mercer, Meservey, Mills, Mitchell, Monk, Morison, Morrow, Mosnat, Nemmers, Oakman, Parrott, Paschal, Perkins, Potter, Powers, Price, Reiniger, Rich, Richman, Roe, Roundy, Russell, Schmidt, Seeds, Shields, Shipley, Smith of Boone, Smith of Des Moines, Smith of Linn, Smith of Mitchell, Smith of Sac, Smith of Wapello, Smith of Wright, Soesbe, Steele, Stewart of Polk, Stewart of Poweshiek, Tade, Taylor, Thornburg, Townsend, Vale, Van Gilder, Walden, Walker, Ware, Weidman, Wilson, Wolfe, Woods, Woolson, Wyman, Yergey, Young—146.

Members not answering were:

Messrs. Bills, Dent, Kent, and McCoy—4.

The Speaker then opened the returns in the presence of the joint convention, which proceeded to canvass the vote for Governor and Lieut.-Governor, at the election of 1889.

On motion of Mr. Woolson the absence of a seal in the certificate of the returns from Butler county was disregarded.

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

Resolved, That all votes cast for the name of Hutchison be counted for Joseph G. Hutchison, and all cast for the name of Boies be counted for Horace Boies, and in the same manner with all the candidates; the votes cast shall be counted for those candidates for whom it is apparent the vote was intended to be cast.

On motion of Mr. Hotchkiss the joint convention took a recess until 7:30 o'clock p. m.

The convention re-convened at 7:30 p. m. The tellers reported and the President of the convention announced the vote in its presence as follows:

For Governor:

Jos. G. Hutchison received.....	173,556
Horace Boies received.....	180,120
S. B. Downing received.....	5,773
Elias Doty received.....	54
Malcolm Smith received.....	1,362
Scattering	80

And Horace Boies was declared elected Governor of Iowa for the ensuing term.

On Lieutenant-Governor the President announced the vote as follows:

Alfred N. Poyneer received.....	177,813
Samuel L. Bestow received.....	176,131
Ezra Brownell received.....	5,718
J. M. McDonald received.....	69
J. W. Murphy received.....	1,419

Alfred N. Poyneer was declared elected Lieutenant-Governor for ensuing term.

Whereupon the following certificate was duly signed in the presence of the convention.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, Iowa, February 20, 1890. }

This is to certify that upon a canvass in joint convention of the two houses of the General Assembly of the State of Iowa, of the votes cast at the November election, A. D. 1889, for the office of Governor of the State of Iowa, it appeared that Horace Boies received the highest number 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 the 20th day of February, A. D. 1890.

J. A. T. HULL.

President of the Senate, and President of the Joint Convention.

J. T. HAMILTON,

Speaker of the House of Representatives.

ED. P. SEEDS,

Teller of the Senate.

W. H. WARE,

Teller of the House of Representatives.

Also the following certificate was duly signed in the presence of the convention:

HALL OF THE HOUSE OF REPRESENTATIVES, }
Des Moines, Iowa, February 20, 1890. }

This is to certify that upon a canvass, in joint convention, of the two houses of the General Assembly of the State of Iowa, of the votes cast at the November election, A. D. 1889, for the office of Lieutenant Governor of the State of Iowa, it appeared that Alfred N. Poyneer received the highest number 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 duly elected and qualified.

Signed in the presence of the joint convention, this 20th day of February, A. D. 1890.

J. A. T. HULL,

President of the Senate, and President of the Joint Convention.

J. T. HAMILTON,

Speaker of the House of Representatives.

ED. P. SEEDS,

Teller of the Senate.

W. H. WARE,

Teller of the House of Representatives.

On motion of Mr. Woolson the following resolution 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. Engle the following resolution was adopted:

Resolved, That a committee of three be appointed to notify the Governor and Lieutenant-Governor elect, of their election.

The President appointed as the committee Messrs. Engle, McCarthy and Beem.

The minutes were then read and approved.

On motion of Mr. Meservey the joint convention was then dissolved.

The Senate reconvened at 9:30 o'clock P. M., after the joint convention.

Senator Woolson offered the following as a substitute for the concurrent resolution offered by Senator Harsh, relative to appointing a committee to investigate combinations and trusts:

Resolved by the Senate, the House concurring:

That the President of the Senate and Speaker of the House be and they are hereby directed each to appoint a committee of two from their respective bodies to act as a special joint committee to investigate combines or trusts existing or operating in Iowa, and whether there exists, or has recently existed, or been in operation within the State any combination, agreement, or understanding by or

between any persons, firms or corporations by reason whereof the price or prices of any articles or commodities of any sort or kind have been or are now being controlled in such way as to prevent or lessen competition, or to increase the price to purchasers or consumers, or to diminish the sum paid to producers of said articles or commodities, or to limit or decrease the production thereof. Said committee is specially charged to inquire into and investigate whether or not there is or recently has been any combination, trust, agreement, understanding, rule or regulation between manufacturers or publishers of school books and wholesale or retail dealers therein, and including school officers teachers or others, whereby competition between sellers is avoided or prevented and the price of school books regulated, maintained or affected, to the detriment or disadvantage of purchasers for use. Said committee to have power, if necessary, to hold sessions at any point in the State, summon and compel the attendance of witnesses, administer oaths, employ a clerk or stenographer, appoint a sergeant-at-arms, compel the production of books and papers, and to do generally anything fit and proper in the judgment of said committee to properly and effectually carry out the spirit and intent of this resolution.

And no witness shall be excused from testifying before this committee because the testimony sought to be elicited might tend to connect such witness with any fraud, or illegal transaction, but the testimony thus elicited shall not be used, or permitted to be used, in any civil or criminal proceeding against such witness.

The members of said committee to be entitled, when in session at other places than in Des Moines, to mileage and actual expenses, and when necessarily absent on work of said committee, to be excused from other committee work and from attendance on the sessions of their respective bodies.

Said committee may hold sessions during the sitting of the General Assembly, and shall at earliest practicable date, make report to this General Assembly, but at a date not later than March 10 next. Said report may be by recommendation, bill or otherwise.

Senator Gatch, from the committee on inauguration, made the following report:

MR. PRESIDENT—The committee appointed by concurrent resolution on inauguration make the following report:

The inaugural ceremonies will be held in the Hall of the House of Representatives at 2:30 o'clock, p. m., Thursday, February 27, 1890. Sub-committees have been appointed to complete the necessary arrangements.

C. H. GATCH, *Chairman Senate Committee.*

CHAS. G. HIPWELL, *Chairman House Committee.*

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 resolutions:

Relating to purchase of codes.

Relating to joint rules.

That the House has appointed as its members of the committee to wait upon the Governor under joint resolution relating thereto, Messrs. Russell and Hobbs.

That the House has passed the following concurrent resolution in which the concurrence of the Senate is asked: relative to committee to visit the Benedict Home.

HENRY S. WILCOX,
Chief Clerk.

On motion of Senator Seeds the Senate adjourned until 10:30 o'clock A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, Feb. 21, 1890. }

Senate met in regular session at 10:30 o'clock A. M. Lieut. Gov. Hull in the chair.

Prayer by Rev. A. W. Mell.

On motion of Senator Finn the reading of the journal was dispensed with until the printed copies are placed upon the Senators' desks.

HOUSE MESSAGES.

Senator Woolson moved to take up the House messages.

Carried.

The concurrent resolution relative to visiting committee for the Benedict Home was taken up and concurred in.

Senator Smith of Linn, of the joint committee to wait on the Governor, made the following report :

MR. PRESIDENT—Your committee to act in conjunction with a similar committee appointed by the other body to inform His Excellency, the Governor of the State of Iowa, that the Twenty-third General Assembly is now organized and ready for the transaction of any business that may properly come before it, beg leave to report that they have discharged that duty.

Respectfully submitted,

J. H. SMITH,

J. H. SHIELDS.

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 adjournment.

H. S. WILCOX,

Chief Clerk.

Senator Finn arose to a question of privilege, and stated that an article in the *Des Moines News*, charging him by implication with not representing his constituency on the election of United States Senator, was absolutely false and without foundation.

That at each Republican convention in his district resolutions had been passed endorsing the re-election of Senator Allison; that he had taken pains to ascertain the present sentiment of his district and all the petitions and requests which came from the Republicans of his district since the meeting of the Legislature were in the same direction; that the article referred to, was in response to the following letter:

EDITOR NEWS—Am sorry to see by your paper that my letter to Mr. F. W. Meyer of Ida county seems not to have been so clear in its language as to express my purpose in writing the same. I am satisfied you will see by a closer reading of it that I do not "scold Mr. Meyer for his support of Governor Larrabee," but simply discuss some abstract principles of political ethics such as, should political perjury be encouraged? political treachery commended? and political betrayal rewarded? in which Mr. Meyer seemed to me to assume the affirmative. I regard a representative of the people but the attorney of his district, the agent on party questions of his party, the employe of his constituents. His obligation is the same as an attorney to his client—his clientage being of his constituency—and it is just as base to defeat their wishes and instructions as for an attorney-at-law to sell out the man who has employed him to protect his interest. Is it not just as base to ask the betrayal of the people by a Representative as to ask the attorney to ignore his client and his case? Mr. Meyer and his co-patriots of Ida county demand that every member here shall forget his party obligations and relations—forget the instructions of his constituents—and the pledges made upon which the member secured the votes of those who had a right to rely upon his word of honor to vote as they desired. Do not Mr. Meyer and the editor of the *News* know that a Representative so forgetting his duty and honor would become the scorn of all honest men? If instructed for prohibition what would be thought if he voted for license, or *vice versa*? If instructed for Allison why vote for Larrabee? Let me say to the *News* that I am doing yet as I always have done, following my own judgment, sense of right and the wishes of my constituents and hoping all the newspapers will approve, but I do not intend being forced to "go north because some editor has started on a trip to the south," as the *News* is sometimes charged with doing, and whether the *Register* has reformed or I have been converted or both improved. I am very well satisfied as long as I believe I am right to have my course approved by it. The measure of support I gave to Mr. Hutchison for Governor was determined by my own conscience as a citizen only, and was not affected by my duties as a Senator. The support of him by the *News*, as an Independent paper with no party obligation, while it carried as its declared platform ten distinct articles of faith or demands for the people, nine of which he as a Senator and Representative had been voting against and fighting for a period of ten years, is sometimes commented upon by others, but never by myself. As to whether the Pullman company sent an agent here in behalf of Mr. Allison for Senator or Mr. Hutchison for Governor, I have no knowledge and care nothing about. I know the Republicans of my district seemed to be at their conventions of last year, and are now, for William B. Allison for United States Senator, and that is enough for me.

The only tendency of the Meyer movement, so far as I can learn from my district, is to make the heretofore staunch supporters of Governor Larrabee lose that high regard and confidence in which they have held him, his silence seeming to them to be an acquiescence in the Meyer scheme of making traitors of the people's repre-

sentatives here and of punishing them if they fail to betray their trusts. I do not myself believe that Governor Larrabee would accept an office tendered by men who had been instructed by constituents to cast their votes for another.

GEO. L. FINN.

Senator Harsh moved to take up and consider the resolution relative to appointment of special committee to investigate trusts.

On this question the yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Barnett, Bayless, Bills, Brower, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Taylor, Vale, Weidman, Wolfe, Woolson—45.

The nays were:

Senators Bolter, Cassatt—2.

Absent or not voting:

Senators Barnett, McCoy, Stewart—3.

So the motion was adopted and the resolution taken up and considered.

Pending which, Senator Woolson moved to take up House messages.

Adopted.

HOUSE MESSAGE.

The House concurrent resolution relative to adjournment was taken up and concurred in.

Consideration of trusts was resumed.

Pending which, the chair announced the following members of visiting committees:

Agricultural College—Senator Smith of Linn.

Benedict Home—Senator Kent.

College for the Blind—Senator Mack.

Fish Hatching House—Senator Barnett.

Hospital for the Insane at Mt. Pleasant—Senator Caldwell.

Hospital for the Insane at Independence—Senator Mattoon.

Hospital for the Insane at Clarinda—Senator Bayless.

Reform School at Eldora—Senator Wolfe.

Reform School at Mitchellville—Senator Gobble.

Institution for Deaf and Dumb—Senator Barrett.

Institution for Feeble-minded—Senator Funk.

Penitentiary at Anamosa—Senator Hanchett.

Penitentiary at Ft. Madison—Senator McVay.

Soldiers' Home—Senator Brower.

Orphans' Home at Davenport—Senator Seeds.

State Normal School—Senator Perkins.

State University—Senator Price.

Senator Bayless offered the following resolution:

Resolved, That the Senate member of the visiting committee to the Iowa Soldiers' Home at Marshalltown be instructed to report the name, from what county sent, and the amount of pension received by each inmate who receives eight dollars or more per month.

Adopted.

Senator Finn moved that the Senate take a recess until 2 o'clock, P. M.

Adopted.

The Senate was called to order at 2 o'clock P. M. and resumed consideration of the resolution on the subject of trusts offered by Senator Harsh.

Senator Cleveland was excused.

The question under consideration being the adoption of the substitute offered by Senator Woolson,

Senator Finn offered the following amendment:

Amend by adding after the word "use," "and to especially inquire of and report the comparative prices of school books in this and other states, and what statutory enactments if any have affected the prices to purchasers, and to report the prices of such books in the states of Minnesota, Indiana, California and other states where laws are now in force in reference to the same."

Adopted.

Senator Reiniger offered the following amendment:

Provided, That the appointment of this committee shall in no manner delay or interfere with the consideration of legislation on the subject, before the report of the committee is filed.

Adopted.

The question being upon the adoption of the substitute offered by Senator Woolson, the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Clyde, Engle, Finn, Gatch, Gobble, Groneweg, Kegler, Mack McVay, Meservey, Parrott, Price, Reiniger, Rich, Schmidt, Seeds, Shields,

Smith of Linn, Smith of Wright, Taylor, Vale, Weidman, Wolfe, Woolson—31.

The nays were:

Senators Davidson, Dungan, Funk, Harsh, Kelly, Lawrence, Mattoon—7.

Absent or not voting:

Senators Ballingall, Caldwell, Cassatt, Cleveland, Dodge, Hanchett, Kent, McCoy, Mills, Mosnat, Perkins, Stewart—12.

So the substitute was adopted.

The question now being on the adoption of the resolution as amended, it was adopted.

Senator Harsh thus explained his vote:

MR. PRESIDENT—Believing that there is not sufficient of value left in the resolution since the adoption of the substitute to warrant the appointment of a committee, I vote no.

J. B. HARSH, *Senator Fifth District.*

Senator Barnett offered the following resolution:

Resolved, That the committee on the part of the Senate to select a mail carrier be instructed to give the preference to an old soldier, should any apply.

Passed on file.

On motion of Senator Woolson the report of the temporary committee on rules was taken up and considered section and section.

Senator Barnett moved to amend section 29 as follows: Add after the word "relates" in second line, section 29, "and shall make a report to the Senate within ten days from time of reference.

Lost.

Senator Seeds moved to amend section 31 by striking out the words "smoking in the Senate Chamber is hereby prohibited."

Lost.

Senator Kelly moved to amend section 31 by adding after the word "prohibited" the words "while the Senate is in session."

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barrett, Bayless, Bills, Bolter, Cassatt, Davidson, Gatch, Groneweg, Hanchett, Harsh, Kelly, Kent, Mattoon, McVay, Meservey, Mills, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Taylor, Vale, Wolfe, Woolson—29.

The nays were:

Senators Barnett, Clyde, Dungan, Engle, Kegler, Lawrence, Mack, Price, Weidman—9.

Absent or not voting:

Senators Ballingall, Brower, Caldwell, Cleveland, Dodge, Finn, Funk, Gobble, McCoy, Mosnat, Perkins, Stewart—12.

So the amendment was adopted.

Senator Price moved to strike out section 31 entire.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bolter, Kegler, Lawrence, Mack, Price, Schmidt, Seeds, Weidman—9.

The nays were:

Senators Bailey, Barrett, Bayless, Bills, Clyde, Davidson, Dungan, Engle, Gatch, Groneweg, Harsh, Kelly, Kent, Mattoon, McVay, Meservey, Mills, Parrott, Reiniger, Rich, Smith of Linn, Smith of Wright, Taylor, Vale, Wolfe, Woolson—26.

Absent or not voting:

Senators Ballingall, Brower, Caldwell, Cassatt, Cleveland, Dodge, Finn, Funk, Gobble, Hanchett, McCoy, Mosnat, Perkins, Shields, Stewart—15.

So the motion was lost.

Senator Clyde moved to strike out the words, "to observe secrecy" after the word "enjoined" and insert them after the word "sworn." Adopted.

The question now recurring on the adoption of the report of the committee and of the rules as amended, the same were adopted.

On motion of Senator Woolson the Secretary was instructed to have printed 300 copies of the rules as adopted.

Senator Price offered the following concurrent resolution:

WHEREAS, Reliable statistics show that thousands of our young men are killed, and many thousands more are crippled for life in this nation, in coupling and uncoupling cars, from being on top of freight trains to handle brakes, and,

WHEREAS, the National Car-Builders' Association (an organization of mechanics in the employ of railroad companies charged with the responsibility of car building, and representing in this association about 90 per cent of the railroads of the nation) did, after years of earnest investigation and tests, at their twenty-fifth annual convention held in Minneapolis, Minn., June, 1887, adopt by over a two-thirds majority vote, an automatic safety car coupler of the vertical plane hook type, as the standard automatic coupler, for general and uniform use on cars in this nation, and

WHEREAS, the managers of the railroads represented in that Association of National Master Car Builders did, after ninety days of consideration, approve the action of the Master Car Builders, by over a two-thirds majority vote, thus making what was named by the executive committee of said Master Car Builders' Association, the M. C. B. Coupler, meaning the Master Car Builders' Coupler, the standard car coupler for cars on their own motion, and

WHEREAS, Said executive committee under instructions from the association did make specifications and draft contour lines of said coupler, and published them to the world, stating that any automatic vertical plane coupler that would couple automatically with the M. C. B. coupler, and also couple readily by hand to the common draw bar, with the link and pin coupler, would be considered as a standard coupler and could be so used by all railroads (of which couplers there are now some ten or twelve already accepted and in use by the roads), thus forestalling a monopoly in such coupler, and

WHEREAS, Said same Master Car Builders did, in the same convention held in Minneapolis in 1887, adopt the report of their committee on freight car brakes, which report showed that power or air brakes were as practically applicable to freight as to passenger cars, and

WHEREAS, There being now no longer any doubt as to the practicability of applying such brakes to freight trains, and were such uniform automatic power brakes and couplers universally and uniformly adopted and used in the freight car transportation service of this nation, it would prevent a very large per cent of the fatalities and injuries now daily and hourly suffered by this large class of young men engaged in the indispensable work of the commerce of the nation, therefore be it

Resolved by the Senate, the House concurring:

That our senators and representatives in Congress be most earnestly and respectfully requested to take all proper means to have enacted at the earliest possible date, efficient laws that shall require that all cars used on railroads in the interstate commerce of the nation, shall be equipped with uniform, safe, automatic couplers, and power automatic brakes, to the end that the present terrible sacrifice of life and limb be prevented, and that this "reproach to our civilization of subjecting any class of American workmen, while in the pursuit of a necessary and useful avocation, to a peril of life and limb as great as that of a soldier in time of war," be taken away.

Passed on file.

Senator Barnett asked leave to take up his resolution relative to appointment of mail carrier.

On objection by Senator Gatch, it was passed over.

PETITIONS AND MEMORIALS.

Senator Dungan presented petition of Stephen Randall and seventy-seven citizens of Lucas county, favoring the election of Wm. B. Allison for United States Senator.

Passed on file.

Senator Reiniger presented petition of W. Smith and 105 citizens of Floyd county, favoring the election of Wm. B. Allison for United States Senator.

Passed on file.

Senator Meservey presented petition of W. C. Marsh and fifty-two other citizens of Cherokee county, favoring the election of Wm. B. Allison for United States Senator.

Passed on file.

Senator Gatch presented petition of citizens of Polk county, relative to, and opposing State uniformity of school books.

Referred to committee on schools when appointed.

Senator Gatch presented petition of citizens of Sevastapol, favoring the passage of Senate file No. 72, by Senator Taylor, and Senate file No. 134, by Senator Dungan.

Referred to committee on Mines and Mining when appointed.

Senator Seeds presented petition of H. W. Holman and ninety others of Delaware county, favoring the election of Wm. B. Allison as United States Senator.

Passed on file.

Senator Bills presented petition of John Brunswick and 170 others, members of the Farmers' Mutual Benefit Association of Cedar county, asking for an appropriation of \$10,000, to assist in defraying the expenses of holding Farmers' Institutes or schools of scientific instruction on the best methods of farming.

Passed on file to be referred to Committee on Agriculture.

Senator Smith of Wright, presented petition of citizens of Wright county, favoring the election of Wm. B. Allison for United States Senator.

Passed on file.

Senator Smith of Linn presented resolution of T. Z. Cook Post, Cedar Rapids G. A. R., opposing the building of a soldiers' monument and favoring the building of a hospital in connection with the Soldiers' Home at Marshalltown; also a resolution of Todville, Linn county, Farmers' Alliance, favoring the election of William Larrabee for United States Senator.

Passed on file.

Senator Smith of Linn presented resolution of Knights of Labor at Cedar Rapids, opposing the election of Wm. B. Allison as United States Senator.

Passed on file.

Senator Lawrence presented resolution of school board of the Independent District of Sioux City, opposing state uniformity of school books and favoring conditional district purchase plan.

Passed on file to be referred to Committee on Schools when appointed.

Senator McVay presented petition of G. I. Long and 41 others, citizens of Calhoun county, favoring the election of Wm. B. Allison as United States Senator.

Read, and by consent withdrawn for introduction in the House.

The President presented petition of L. I. Bond and 39 other citizens

of West Side, Crawford county, Iowa, favoring the election of Wm. B. Allison for United States Senator.

Passed on file.

Senator Woolson presented petition of R. Root, Alex. Collins and 193 others, Republican electors of the city of Keokuk, asking for the election of Wm. B. Allison as United States Senator.

Passed on file.

Senator Mills, by request, presented petition of W. D. Reedy and 110 other citizens of Tama county, asking for the election of Wm. B. Allison for United States Senator.

Passed on file.

Senator Harsh presented petition of citizens of Union county, relative to price of school books.

Passed on file to be referred to Committee on Schools when appointed.

Senator Finn presented petitions of 35 citizens of Adams county and 24 citizens of Taylor county, favoring the election of Wm. B. Allison for United States Senator.

Passed on file.

Senator Dungan offered the following concurrent resolution:

WHEREAS, The battle flags which have been borne by Iowa soldiers in triumph on nearly every battle field for the maintenance of the union, and which are held in such deep and patriotic reverence by all our people, are now kept in the arsenal at considerable distance from the capitol, and,

WHEREAS, The placing of said flags in the capitol would enable the citizens of Iowa, and others visiting the same, the gratification of seeing these sacred emblems of Iowa's valor without the inconvenience of hunting for them in some out of the way place, and if possible preserve them the better from injury, and

WHEREAS, Such removal has been recommended by Past Department Commander, E. A. Consigny, endorsed by the Department Encampment of the G. A. R., at its last meeting, and,

WHEREAS, Governor Larrabee has recommended to this General Assembly in his bi-ennial message that, "These flags should be removed to the capitol and placed in hermetically sealed glass cases accessible to all visitors," therefore be it

Resolved by the Senate, the House concurring:

That a special committee of four members, two from the Senate and two from the House, be appointed to investigate the expediency and desirability of the removal of said flags to the new capitol building, and whether there are suitable rooms therein for that purpose, and report at as early a day as practicable by bill or otherwise.

Adopted.

Senator Wolfe moved that the President of the Senate be authorized

to certify to the voucher for pay of Clarence Logan as temporary messenger from the commencement of this session.

Adopted.

Senator Reiniger moved to take up the concurrent resolution offered by him relative to providing a place for the battle flags of Iowa regiments.

Senator Dungan moved to refer the resolution to a special committee.

By consent of Senator Reiniger the resolution under consideration was passed for consideration at a future date.

On motion of Senator Kegler the Senate adjourned until 2:30 o'clock p. m. Wednesday, Feb. 26, 1890.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, February 26, 1890. }

Senate met in regular session at 2:30 o'clock P. M., Lieutenant Governor Hull in the chair.

Prayer by Rev. D. McPherson.

Senator Finn moved that the roll be called for the presentation of petitions and memorials.

Carried.

PETITIONS AND MEMORIALS.

The President presented the petition of R. P. Baxter and thirty-eight others of West Gate; Fayette county, favoring the election of W. B. Allison for United States Senator. Also the petition of A. Spooner and forty-four others on same subject.

Read and passed on file.

Senator Bailey presented the petition of Hon. W. E. Fuller and Hon. G. D. Darnall and forty-four others of Fayette county, asking election of W. B. Allison for United States Senator. Also petition of ex-Lieutenant Governor H. C. Bullis and ninety others of Winneshiek county on the same subject. Also the petition of F. North and forty-two other citizens of Hesper, Winneshiek county, on the same subject. Also the petition of ex-Senator Converse and thirty-three other citizens of Howard county on the same subject.

Passed on file.

Senator Barrett presented a petition of the voters of O'Brien county favoring the election of Senator Allison as United States Senator.

Passed on file.

Senator Bills presented a petition of 300 voters and members of the Farmers' Mutual Benefit Association of Cedar county, asking for a uniform system of school text books, and that the same be furnished at cost of compilation and publication.

Referred to Committee on Schools when appointed.

Senator Brower presented petition of Rev. W. A. Chambers and other citizens of Hancock county regarding the prohibitory law.

Referred to Committee on Suppression of Intemperance when appointed.

Also presented petition of William Bredlow and eighteen others of Hancock county; same subject, same reference.

Also, presented the petition of Sarah Brockway and thirty-three other wives and mothers of Hancock county.

Same subject. Same reference.

Senator Caldwell presented the petition of Isaac Hoch and forty-six other citizens of DeSoto, asking for the election of Senator Allison for United States Senator.

Passed on file.

Senator Davidson presented petition of M. Keith and 72 others, asking for the re-election of W. B. Allison.

Passed on file.

Senator Engle presented petition of citizens of Jasper county, asking the election of Wm. Larrabee to United States Senate.

Passed on file.

Senator Finn presented two petitions of A. J. Moore and 71 other citizens of Adams county, favoring the election of W. B. Allison for United States Senate. Also a petition of C. O. Hall and 24 others of Taylor county, on the same subject. Also communication from F. W. Myer, special secretary Silver Creek Alliance No. 621, with copy of resolution, asking the election of Wm. Larrabee as United States Senator.

Senator Gatch presented petition of George G. McNutt and 97 other citizens of Polk county, favoring election of Senator Allison. Also petition of Thos. Mitchell and 34 other citizens of Polk county. Same subject.

Passed on file.

Senator Harsh presented petition and letter of L. S. Patterson and 43 other citizens of Union county. Also petition and letter of C. R. Hall and 33 other citizens of Decatur county, asking the election of Wm. B. Allison for United States Senator.

Passed on file.

Senator Kegler presented petition of J. C. Campbell and 89 others of Jackson county, asking for re-election of Wm. B. Allison. Presented and to be withdrawn for presentation in the House.

Senator Harsh presented a communication from Chas. H. Marsh relative to the district purchase of school books, and moved that the same be spread upon the journal.

Senator Bailey moved as a substitute that 150 copies be printed for the use of the Senate.

Senator Caldwell moved that the whole matter be laid upon the table.

Carried.

By consent, Senator Harsh was allowed to withdraw the communication.

Senator McVay presented petition of E. L. Gregory and 49 others, of Calhoun county, favoring the election of Wm. B. Allison as United States Senator.

Passed on file.

Senator Meservey presented petition of P. S. Rishel and 46 others, of Plymouth county, favoring the election of W. B. Allison. Also presented petition of Geo. M. Riddle and 50 others, of Ida county; same subject. Also presented petition of 46 voters of Harrison county; same subject.

Passed on file.

Senator Mills presented petition of S. H. Sibley and 41 others, of Marshall county, asking the election of W. B. Allison for United States Senator. Also presented petition of G. W. Calhoun and 106 others, of Marshall county, asking the re-election of W. B. Allison.

Passed on file.

Senator Parrott presented petition of Hon. S. P. Bryant and 48 others, citizens of Davenport; also petition of Hon. J. S. Stacy and 137 others, of Anamosa; also petition of John T. Waters and 110 citizens of De Witt, Clinton county, all favoring the re-election election of Hon. Wm. B. Allison.

Passed on file.

Senator Perkins presented petition of J. M. Barbour and 49 others, for the re-election of Senator Allison.

Withdrawn for presentation in the House.

Senator Price presented petition of John Perkins and 39 others, citizens of Madison county. Also petition of E. C. Crawford and 23 others, citizens of Adair county. All favoring the election of Wm. B. Allison for United States Senator.

Passed on file.

Senator Reiniger presented petition of W. B. Parrin and 38 others, citizens of Nashua, Iowa, requesting the re-election of W. B. Allison.

Passed on file.

Senator Smith, of Linn, presented petition of Chas. I. Vail and 17 others, citizens of Blairstown, Iowa; also G. A. Smith and 50 others, of Clinton, Iowa; also P. S. Banister and 56 others, of Clinton county; also Samuel Daniels and 144 others, of Linn county; also petition of Wm. Wagner and 51 others, of Prairiesburg, Iowa; also petition of E. D. Wilson and 41 others, of Troy Mills, Linn county, all favoring the election of Wm. B. Allison for United States Senator.

Passed on file.

Senator Vale presented petition of W. H. Rosser and 34 other citizens of Davis county; also petition of J. R. Moore and 36 others, citi-

zens of Van Buren county; also petition of W. J. Carroll and 70 others, citizens of Van Buren county, favoring the election of Wm. B. Allison for United States Senator.

Passed on file.

Senator Woolson presented petition of John G. Koch, A. J. Kauffman and 118 other republicans, electors of Mt. Pleasant, asking for the re-election of W. B. Allison as U. S. Senator.

Also petition of T. P. Hollowell, J. F. McKaig and 57 others, electors of Fort Madison, asking the re-election of Senator Allison.

Also petition of H. K. Snively, Wm. Sloan, and 37 citizens of South English, Keokuk county, asking the re-election of Senator Allison.

Also petition of J. G. Hutchison, Geo. Haw, and 43 other republican electors of Ottumwa, asking for the re-election of Senator Allison.

Also petition of Robert R. Baldwin, L. H. Roberts, and 51 others, citizens of Clinton, asking the re-election of Senator Allison.

Also petition of W. F. Sapp, Geo. F. Wright, and 33 republican electors of Council Bluffs, asking the re-election of Senator Allison.

Also petition of George A. Oliver, E. W. Holbrook, and 84 other citizens of Monona county, asking for the re-election of Senator Allison.

Also petition of Samuel McNutt, J. W. Kemble, and 28 other citizens of Muscatine, asking for the re-election of Senator Allison.

All of which were passed on file.

The President presented petition of 13 voters of Rowan, Iowa, asking the election of W. B. Allison.

Passed on file.

Also petition of D. G. Buker and others, teachers in Boone county, opposing free text-books, furnished either by the State or by the district.

Referred to Committee on Schools, when appointed.

Senator McCoy, by Woolson, presented petition of Robert R. Baldwin and 51 citizens of Clinton, asking the re-election of W. B. Allison as U. S. Senator.

Passed on file.

Senator Barnett moved to take up resolution relative to the appointment of an ex-soldier as mail carrier.

Carried.

Senator Reniniger offered the following amendment which was accepted. Add after the word "preference" the words "other things being equal."

The question now being on the adoption of the resolution, the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barnett, Bayless, Bills, Cleveland, Davidson, Dodge, Dungan, Engle, Finn, Gobble, Groneweg, Harsh, Kegler, Kelly, Kent, Mack, Mattoon, McVay, Mills, Mosnat, Parrott, Reiniger, Schmidt, Smith of Linn, Stewart, Taylor, Vale, Wolfe—29.

The nays were:

Senators Brower, Gatch, Meservey, Woolson—4.

Absent or not voting:

Senators Ballingall, Barrett, Cassatt, Clyde, Funk, Hanchett, Lawrence, McCoy, Perkins, Price, Rich, Seeds, Shields, Smith of Wright, Weidman—15.

Senators Bolter and Caldwell, members of the committee, were excused from voting.

So the resolution was adopted.

Senator Woolson, by leave filed the following explanation of his vote:

I vote against the adoption of this resolution because,

1. It disregards the question of service in the navy of the United States, a branch of the service in which I had the honor to serve for nearly four years, and which I hold to be in all respects as honorable as service in the army, and a branch whose valorous deeds during the late war for the Union brought high honor to the flag of the country whether wrought on blockade or in line of battle.

2. The resolution wholly disregards the question of age at the time of the war, and peremptorily excludes all young men, however worthy or deserving, making their youth during the war, and consequent inability to enter the service of the government, conclusive against them. It wholly disregards the farther fact that the young man, if such be an applicant, may be the son of a soldier or sailor who lost his life in the service; and this son of the dead patriot is excluded under the resolution, though he be the support and stay of his widowed and aged mother, or dependent brother or sister.

3. Over two-thirds of the whole number of officers whom the Senate has placed upon its rolls, are either old soldiers or the daughters of soldiers. And while I am glad to recognize and heartily respond by voice and vote and in every way in my power to the ties of comradeship binding me to those who, in army or navy, loyally served their country in her hour of need, I am not willing to say that only soldiers shall fill our offices or be employed in positions of honor connected with the General Assembly.

JNO. S. WOOLSON,
Senator Tenth District.

Senator Kegler moved that 200 copies of Senate File No. 75 be printed.

Carried.

Senator Finn moved that the bills now in the hands of the Secretary be taken up, and read a first and second times, and referred to proper committees.

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: Relating to Railroad Commissioners' maps.

HENRY S. WILCOX, *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 concurred in the Senate concurrent resolutions relative to battle flags, and has appointed as committee thereon Messrs. Addie and Townsend.

H. S. WILCOX, *Chief Clerk*.

Senator Duncan offered the following

JOINT RESOLUTION NO. 4.

To the Congress of the United States, in relation to the arrears of pensions:

Be it resolved by the General Assembly of the State of Iowa:

That our Senators and Representatives in Congress be and they are hereby earnestly requested to use their best efforts to secure the repeal of the limitation contained in the arrears act of 1879, so that all invalid soldiers shall share alike, and their pensions shall begin with the date of disability or discharge, and not with the date of their application. That the Secretary of State transmit a certified copy of this resolution to each of our Senators and Representatives in Congress.

Read first and second time and passed on file.

Senator Woolson offered the following concurrent resolution:

Resolved by the Senate, the House concurring:

That the Senate shall meet the House in joint convention at 2:30 P. M., Thursday, February 27, 1890, for the purpose of inaugurating the Governor and Lieutenant-Governor-elect.

Adopted.

HOUSE MESSAGES.

On motion of Senator Bayless, House messages were taken up and considered.

House concurrent resolution relative to authorizing the Railway Commissioners to procure 10,000 copies of their railway map of Iowa for distribution, was concurred in.

On motion of Senator Kelly the Senate adjourned until 2 o'clock P. M. to-morrow.

SENATE CHAMBER,
DES MOINES IOWA, Thursday, February 27, 1890. }

Senate met in regular session at 2 o'clock p. m., and in the absence of the President, was called to order by Secretary Cochrane.

Prayer by Rev. H. H. Long.

Senator Woolson was chosen temporary President.

Senator Bayless moved that the Senate take a recess of twenty-five 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 concurred in the following concurrent resolution of the Senate, relative to meeting in joint convention for the inauguration of Governor and Lieutenant-Governor.

H. S. WILCOX, *Chief Clerk*.

MESSAGE FROM THE HOUSE.

A committee from the House appeared and informed the Senate that the House was ready to receive the Senate in joint convention for the inauguration of Governor and Lieutenant-Governor.

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA,
EXECUTIVE CHAMBER,
DES MOINES, February 27, 1890. }

MR. PRESIDENT—I am instructed by the Governor to deliver to your honorable body his report of reprieves, commutations and pardons granted during the biennial term.

FREDRICK W. HOSSFELD,
Private Secretary.

Passed on file.

The hour having arrived for the joint convention, on motion of Senator Finn, the Senate accompanied the President, in a body, to the Hall of the House of Representatives, to inaugurate the Governor and Lieutenant-Governor elect.

JOINT CONVENTION.

Senator Woolson, temporary President of the Senate, took the chair as President of the joint convention, and called it to order at 2:30 o'clock p. m.

Calling of the roll was dispensed with.

Prayer was offered by Rev. H. O. Breeden of Des Moines.

Lieut.-Governor J. A. T. Hull assumed the chair and presided over the joint convention.

The oath of office of Governor was duly administered in the presence of the convention to Governor-elect Horace Boies and Lieutenant Governor-elect Alfred N. Poyneer, by Judge J. H. Rothrock, Chief Justice of Iowa.

Governor Boies then delivered his inaugural address.

On motion of Senator Shields, the joint convention dissolved.

The Senate re-assembled at 4 o'clock P. M.

Senator Meservey moved that a committee of two be appointed to conduct Lieutenant-Governor Poyneer to the chair.

Carried.

The President appointed Senators Meservey and Shields as such committee.

The Committee escorted the Lieutenant-Governor to the chair.

Lieutenant-Governor Hull then addressed a few farewell remarks to the Senate and introduced Alfred N. Poyneer as Lieutenant-Governor of Iowa, who then addressed the Senate, and at the conclusion of his address presented the Secretary the following list of standing committees, which was read to the Senate:

STANDING COMMITTEES.

Ways and Means—Senators Parrott, Harsh, Price, Vale, Gatch, Davidson, Mills, Perkins, Mack, Burnett, Bayless, Kent, Kegler, Cassatt, and Kelly.

Judiciary—Senators Woolson, McCoy, Reiniger, Barrett, Lawrence, Finn, Seeds, Dungan, Clyde, Bolter, Wolfe, Dodge, Schmidt, Shields and Mosnat.

Appropriations—Senators Gatch, Funk, Brower, McCoy, Parrott, Hanchett, McVay, Smith of Linn, Weidman, Bailey, Taylor, Mattoon, Bills, Rich, and Gobble.

Suppression of Intemperance—Senators McCoy, Reiniger, Dungan, Barrett, Caldwell, Weidman, Woolson, Taylor and Groneweg.

Railways—Senators Meservey, Harsh, Price, Finn, McVay, Caldwell, Seeds, Bayless, Dodge, Groneweg and Cleveland.

Agriculture—Senators Vale, Mills, Weidman, Perkins, Reiniger, Smith of Wright, Barnett, Hanchett, Stewart, Kent and Rich.

Congressional and Judicial Districts—Senators Barrett, Dungan, Lawrence, Smith of Linn, Davidson, Clyde, Hanchett, Kegler, Dodge, Ballingall and Cleveland.

Insurance—Senators Price, Smith of Linn, Mack, Parrott, Bolter, Wolfe and Taylor.

Labor—Senators Harsh, Davidson, Perkins, Engle, Barnett, Woolson, Smith of Wright, Wolfe and Ballingall.

Educational Institutions—Senators Mills, Funk, Brower, Vale, McCoy, Seeds, Mosnat, Dodge and Bayless.

Schools—Senators Finn, Funk, Clyde, Meservey, Woolson, Mack, Mattoon, Kelly and Bills.

Cities and Towns—Senators Smith of Linn, Parrott, Lawrence, Gatch, Harsh, Gronewig, Gobble, Shields and Schmidt.

Public Health—Senators Caldwell, McVay, Smith of Linn, Perkins, Meservey, Engle, Bayless. Bills and Mattoon.

Mines and Mining—Senators Dungan. Davidson, McCoy, Gatch, Vale, Engle, Kelly, Cassatt and Stewart.

Charitable Institutions—Senators McVay, Brower, Caldwell, Bailey, Seeds, Cleveland, Cassatt, Stewart and Kegler.

Compensation of Public Officers—Senators Seeds, Gatch, Finn, Bills and Ballingall.

Highways—Senators Weidman, Price, Perkins, Mills, Barnett, Cleveland, Gobble, Stewart and Kent.

Constitutional Amendments and Suffrage—Senators Reiniger, McVay, Caldwell, Barrett, Seeds, Gobble and Shields.

Elections—Senators Lawrence, Smith of Wright, Meservey, Barrett, Mattoon, Schmidt and Bolter.

Banks—Senators Brower, Barrett, Price, Harsh, Kent, Kelly and Ballingall.

Printing—Senators Funk, Brower, Harsh, Parrott, Bailey, Bayless and Engle.

Commerce—Senators Smith of Wright, Reiniger, Hanchett, Bailey, Ballingall, Cleveland and Gobble.

Retrenchment and Reform—Senators Barnett, Mills, Vale, Finn, Clyde, Taylor and Bills.

Federal Relations—Senators Bailey, Clyde, Mack, Hanchett, Groneweg, Kegler, and Taylor.

Penitentiaries and Pardons—Senators Hanchett, Barnett, Bailey, Brower, Bolter, Mosnat and Rich.

Senatorial and Representative Districts—Senators Mack, Weidman, Dungan, Lawrence, Engle, Schmidt and Shields.

Claims—Senators Perkins, Harsh, Smith of Wright, Kegler and Mosnat.

Corporations—Senators Clyde, McCoy, Finn, Wolfe and Mosnat.

Public Buildings—Senators Davidson, Smith of Wright, Meservey, Cleveland and Cassatt.

Manufactures—Senators Bolter, Smith of Linn, Price, Funk and Rich.

Military—Senators Bayless, Mills, Caldwell, Dungan and Mattoon.

Rules—Senators McCoy, Woolson, Gatch, Bolter and Schmidt.

Horticulture and Forestry—Senators Engle, Weidman and Cassatt.

Fish and Game—Senators Kent, Funk and Kelly.

Public Lands—Senators Dodge, Lawrence and Groneweg.

Library—Senators Wolfe, Woolson and Shields.

Engrossed Bills—Senators Funk, Mack and Rich.

Enrolled Bills—Senators Davidson, Meservey and Stewart.

Senator Bolter moved that Clarence Logan be retained as one of the permanent pages in the Senate in addition to the six to be appointed by the President.

Carried.

Senator Dodge nominated Tommy Benedict for the Lieutenant-Governor's page, and moved that he be elected.

Senator Reiniger moved that further consideration of this question be deferred until the next meeting of the Senate, and on this question the yeas and nays were demanded.

The yeas were:

Senators Bailey, Caldwell, Clyde, Davidson, Engle, Kegler, Reiniger, Smith of Wright, Stewart and Woolson—10.

The nays were:

Senators Ballingall, Barnett, Bayless, Bills, Bolter, Brower, Cassatt, Cleveland, Dodge, Dungan, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kelly, Kent, Mack, Mattoon, McVay, Meservey, Mills, Mosnat, Parrott, Price, Rich, Schmidt, Seeds, Shields, Vale and Wolfe—31.

Absent or not voting:

Senators Barrett, Finn, Funk, Lawrence, McCoy, Perkins, Smith of Linn, Taylor and Weidman—9.

So the motion was lost.

The question recurring on the original motion it was carried.

Senator Wolfe offered the following resolution:

Resolved, That to our retiring Lieutenant-Governor J. A. T. Hull, this Senate most heartily extends its thanks, and tenders its most cordial good wishes for his future happiness and prosperity. His impartial, able and satisfactory performance of the laborious duties of his office, and his uniform courtesy to Senators personally, will have our lasting and grateful remembrance.

Adopted.

Senator Harsh was excused from service on the committees on printing and banking.

Senator Woolson moved that 300 copies of the list of standing committees be printed for the use of the Senate.

Carried.

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

SENATE CHAMBER,
DES MOINES, IOWA, Friday, February 28, 1890. }

Senate met in regular session at 10 o'clock A. M., Lieutenant-Governor Poyneer in the chair.

Prayer by Rev. Dr. Ign Mueller.

Senator Mack offered the following resolution:

Resolved. By the Senate, that a cordial invitation is hereby extended to the Pioneer Law-makers of Iowa, now in session in this city, in their second quadrennial re-union, to honor the Senate of the Twenty-third General Assembly with their presence at such time as will suit their convenience, and that a committee of two Senators be appointed to convey to them this invitation.

Adopted.

Senators Mack and Cleveland were appointed as such committee.

On motion of Senator Weidman, the roll of Senators was called for petitions and memorials.

Senator Mack presented petition of Hon. J. J. Bruce and forty-three others, citizens of Pocahontas county; also petition of G. A. Proctor and fifty-three others, citizens of Buena Vista county, favoring the election of William B. Allison for United States Senator.

Passed on file.

Senator Bailey presented petition of Hon. C. T. Granger and twenty-seven other citizens of Allamakee county; also petition of J. W. Danbury and forty-six other citizens of Winneshiek county; also petition of A. J. Gratsenberg and fifty-one other citizens of Winneshiek county; also petition of John Scott and Dr. Roome and forty other citizens of Winneshiek county, asking the re-election of Senator Allison.

Passed on file.

Senator Barrett presented petition of Alfred B. Anderson and eighteen others, citizens of Iowa; also petition of W. P. Riley and thirteen others, asking for the election of William B. Allison as United States Senator.

Passed on file.

Senator Brower presented petition of Hon. G. W. Thorn and sixteen other citizens of Iowa, asking for the election of William B. Allison as United States Senator.

Passed on file.

Senator Caldwell presented petition of M. McQuinn and sixty-one other citizens of Benton county; also petition of John Fox and twenty-two other citizens of Dallas county, asking the election of William B. Allison for United States Senator.

Passed on file.

Senator Clyde presented petition of W. E. Pickering and fifty-five other citizens of Winnebago county; also petition of C. F. Kuehnle and forty-six other citizens of Crawford county, asking the election of Senator Allison.

Passed on file.

Senator Clyde presented petition of Harry A. Wardall and twenty-five other citizens of Mitchell county, asking for the election of William Larrabee for United States Senator.

Passed on file.

Senator Davidson presented petition of Earl Billings and forty others, relative to the election of William B. Allison. Also petition of J. R. Butolpt and forty-nine others relative to election of William B. Allison.

Passed on file.

Senator Dungan presented petition of E. A. Consigny and fifty-seven other Republican citizens of Avoca and vicinity, urging the election of William B. Allison for United States Senator.

Passed on file.

Senator Engle presented remonstrance of about 125 citizens of North Des Moines, in reference to being annexed to the city of Des Moines, without regard to the wish of property owners.

Read and referred to Committee on Cities and Towns.

Senator Engle presented petition of S. W. Macy and others of Colfax, asking the election of William B. Allison for United States Senator.

Passed on file.

Senator Engle presented petition of miners of Oswalt, Jasper county, asking that chapter fifty-four (54) section one (1) be amended by striking out the words "unless otherwise agreed upon in writing;" in the third line of said section, and also striking out "slack and" in the ninth line of said section.

Referred to Committee on Mines and Mining.

Senator Engle presented petition of State Assembly Knights of Labor at Marshalltown, relative to taxing mortgaged property, and asking that the penalty of usury be made the forfeiture of all interest; that foreign insurance companies doing business in Iowa be compelled to deposit their securities within the State, that the same may be taxed; also asking that the formation of trusts and monopolies be

made punishable by imprisonment; that the constitution of the United States be amended so as to prohibit any person from voting in any State, who is not a resident of the United States; also requesting a larger appropriation for the bureau of labor statistics; and urging the adoption of the Australian system of voting.

Also recommending that a bill be passed holding mine operators responsible for damages for loss of life or limb of workingmen received while in their employ, unless by his own carelessness, and that employes be paid at least twice a month.

Read and withdrawn by leave.

Senator Finn presented petition of J. W. Paul and thirty-three other citizens of Taylor county; also petition of J. M. Bixler and sixteen other citizens of Adams county; also petition of J. A. Nattinger and twenty-four other citizens of Clinton county favoring the re-election of Senator Allison.

Passed on file.

Senator Funk presented petition of S. Nicholson and forty-two other citizens of Kossuth county; also petition of W. B. Flatt, C. B. Knox, and Dan B. Smith and 10 other citizens of Dickinson county; also petition of A. C. Parker, J. Q. Adams, H. C. Crary and Edward McBride and 121 other citizens of Clay county, asking for the re-election of William B. Allison.

Passed on file.

Senator Gatch presented petition of G. W. Matthews and forty other citizens of Polk county—also petition of James D. Rowen and forty other citizens of Polk county asking for the re-election of W. B. Allison.

Passed on file.

Senator Harsh presented communication of Dodge Center Alliance No. 1207, protesting against the election of Wm. B. Allison.

Withdrawn.

Senator Harsh presented petition of W. A. Campbell and forty-two other citizens of Ringgold county; also petition of W. C. Wheeler and eight other citizens of Decatur county; also petition of H. L. Bishop and thirty others of Union county; also petition of J. H. Kling and twelve other citizens of Decatur county; also fourteen business men of Union county; also petition of F. M. Walker and twenty other citizens of Decatur county; also petition of W. H. Webster and sixteen others, favoring the re-election of Senator Allison.

Passed on file.

Also petition of John Addelman and thirty-seven others favoring the election of W. B. Allison.

Read and passed on file.

Also resolutions of Dodge Center Farmers' Alliance favoring the election of Wm. Larrabee for United States Senator.

Passed on file.

Senator Lawrence presented petition of H. C. Leygate and twenty-four other citizens of Monona county; also petition of C. H. Wastley and eighty-one other citizens of Crawford county; also petition of W. C. Miller, A. J. Huntley, J. T. Van Kinvan, A. M. Holman, and M. L. Jones and 196 other citizens of Woodbury county, asking the re-election of Wm. B. Allison.

Passed on file.

Senator McVay presented petition of H. W. Ross, David Laird, Thomas Cholland and E. A. Lynd and 179 other citizens of Webster county; also petition of D. N. Smith and ninety-four other citizens of Carroll county; also petition of G. W. Hamilton and twenty-six other citizens of Calhoun county, all favoring the election of Senator Allison. Passed on file.

Senator Meservey presented petition of F. G. Cochrane and twenty others of Webster county; also petition of E. J. Kenyon and fifteen others of Cherokee county; also petition of A. N. Durley and fifty others of Plymouth county; also petition of Thomas McCulla and forty-two others of Cherokee county, all asking for the re-election of Wm. B. Allison.

Passed on file.

Senator Mills presented petition of Z. Cary, M. D., and 107 other Republicans of Bangor township, Marshall county, asking the election of Wm. B. Allison as United States Senator.

Passed on file.

Senator Parrott presented petition of S. V. R. Groves and twenty-seven citizens of Hawkeye postoffice, Fayette county; also petition of B. Murphy and fifty-eight others of Vinton; also petition of S. F. Smith and forty-four others of Davenport; also petition of W. W. Slocum and seventy-two others of Fayette county; also petition of W. A. Huntington and forty-five others of Clinton county, all asking for the election of W. B. Allison.

Passed on file.

Senator Perkins presented petition of Harry Rogers and twenty-four others of Fremont county; also petition of I. R. Kidd and forty-four others of Fremont county, all asking for the re-election of Wm. B. Allison.

Passed on file.

Senator Price presented petition of D. Grosscup and thirty-five others of Madison county; also petition of J. C. Ellis and thirty-six others of Madison county; also petition of J. N. Haddock and 115

others of Adair county; also petition of J. E. Middleton and fifty-four others of Madison county; also petition of O. W. Baker and forty-one others of Adair county; also petition of J. T. Young and fifty-four others of Madison county, all asking for the election of W. B. Allison.

Passed on file.

Senator Reiniger presented petitions of J. M. Musser and A. S. Griffith and ninety-five other citizens of Floyd county, favoring the re-election of Senator Allison.

Passed on file.

Also a memorial from Good Templars' convention of Fifth district, asking that the liquor law be not repealed.

Read and referred to Committee on Suppression of Intemperance.

Senator Seeds presented petition of B. A. Baker, D. W. Jones, J. B. Dunham, W. Sawyer, and Henry E. Bushnell and 159 other citizens of Delaware county; also petition of L. K. Page and twenty-three other citizens of Cedar county; also petition of B. Van Nest and sixty-three other citizens of Dubuque county; also petition of B. W. Newbury and Geo. W. Woolridge and 101 other citizens of Clayton county; also petition of O. P. Bingham and T. E. McCarty and ninety-five other citizens of Buchanan county; also petition of A. W. Fletcher and A. W. Lawrence and 146 other citizens of Jackson county, asking the election of W. B. Allison as United States Senator.

Passed on file.

Also presented petition of Henry Higley and six other citizens of Buchanan county, asking the passage of a bill amending section 4299, chapter 2, title 18, of the Code.

Referred to the committee on judiciary.

Senator Smith of Wright presented petition of R. H. Whipple and others of Wright county; also petition of D. G. Ley and Wm. Spangler and others of Wright county; also petition of H. P. Cutter and 130 others of Hardin county, all asking the re-election of W. B. Allison.

Passed on file.

Senator Smith of Linn presented petition of H. A. White, and thirty-nine others of Johnson county; also petition of Jas. C. Bowdman and forty-five others of Johnson county; also petition of Frank Thornburg and forty-four others of Clinton county; also petition of S. S. Farrell and twenty-nine others of Jones county; also petition of A. J. Donaldson and twenty-three others; also petition of Amos Lyons and fourteen others; also petition of H. C. Kuntz and seventy-six others, of Linn county, all asking the re-election of W. B. Allison.

Passed on file.

Senator Stewart presented remonstrance of Knights of Labor to the election of W. B. Allison to the United States Senate.

Passed on file.

Senator Vale presented petition of O. Wilson and John V. Hargrove and thirty-four other citizens of Van Buren county, asking for the election of W. B. Allison United States Senator.

Passed on file.

Senator Weidman presented petition of Z. T. Fisher and sixty-two others, and Frank Beeson and twenty-four others, and Evan Jenkins and twenty-three other citizens of Montgomery county on same subject.

Passed on file.

Senator Weidman presented resolutions of Farmers' Institute, of Mills county, asking for state uniformity and district purchase of school books, and enactment of compulsory education law.

Referred to Committee on Schools.

Also presented petition of Mrs. M. E. Richards and nine others, and I. I. Richards and fourteen other citizens of Elliott, Montgomery county, favoring the maintenance of the prohibitory liquor law.

Referred to Committee on Suppression of Intemperance.

Senator Bailey presented petition of George Pennington and forty-eight other citizens of Winneshiek county, asking the re-election of Senator Allison.

Passed on file.

Senator Woolson presented petition of S. W. Seymour, Abner Groves and fifty-three other citizens of Charter Oak, Crawford county, asking for the election of W. B. Allison for United States Senator.

Passed on file.

Also petition of W. H. Heinzman, R. B. Sigafos and sixty-eight other citizens of Fremont, Iowa, asking for the election of Senator Allison.

Passed on file.

Also petition of B. R. Lofton, Wm. Lowry and forty-nine other citizens of Lee county, asking for the re-election of Senator Allison.

Passed on file.

Also petition of Wm. Harper, J. W. Campbell and 117 other citizens of Mediapolis and vicinity, asking for the re-election of Senator Allison.

Passed on file.

Also petition of E. Rupe, H. E. Tillottson and nineteen other citizens of Ottumwa, asking for the re-election of Senator Allison.

Passed on file.

Also petition of E. M. Ingersoll, B. S. Merrian and forty-eight other citizens of Keokuk, asking for the re-election of Senator Allison.

Passed on file.

Also petition of W. H. McCaw, Albert Swanson and fifty-seven other Republican electors of Wayne township, Henry county, asking for the re-election of Senator Allison.

Passed on file.

Also petition of J. M. Evans, T. A. Bell and thirty-one other citizens of Salem, Iowa, asking that W. B. Allison be re-elected as United States Senator.

Passed on file.

On motion of Senator Finn 300 extra copies of Senate file No. 2 were ordered printed.

On motion of Senator Perkins 300 additional copies of Senate file No. 18 were ordered printed.

INTRODUCTION OF BILLS.

By Senator Seeds, Senate file No. 1, a bill for an act to provide for printing and distributing ballots at the public expense, to regulate voting at State and other elections, and to provide for suitable places in which to hold elections.

Read first and second times and referred to the Committee on Elections.

By Senator Finn, Senate file No. 2, 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 first and second times and referred to the Committee on Schools.

By Senator Finn, Senate file No. 3, 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 Dodge, Senate file No. 4, a bill for an act to provide for printing and distributing ballots at the public expense, and to regulate voting at State and other elections.

Read first and second times and referred to the Committee on Elections.

By Senator Dodge, Senate file No. 5, a bill for an act to recognize and establish labor day, being the second day of September, as a legal holiday.

Read first and second times and referred to the Committee on Judiciary.

By Senator Finn, Senate file No. 6, a bill for an act to amend chapter 9 of the Code of 1873 and make the same applicable to private bankers.

Read first and second times and referred to the Committee on Banks.

By Senator Finn, Senate file No. 7, a bill for an act to amend section 1034 of the Code of 1873 in reference to the election of county auditor.

Read first and second times and referred to the Committee on Elections.

By Senator Finn, Senate file No. 8, a bill for an act to amend section 326 of the Code of Iowa, in reference to the terms of county auditor and county treasurer.

Read first and second times and referred to the Committee on Elections.

By Senator Engle, Senate file No. 9, a bill for an act to amend chapter 54 of the acts of the Twenty-second General Assembly, providing for weighing coal at mines.

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

By Senator Mack, Senate file No. 10, a bill for an act to repeal sections 1, 2, 3, 4, of chapter 12, of the acts of the Eighteenth General Assembly, relative to the management of the permanent school fund, and to enact substitutes therefor.

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

By Senator Mack, Senate file No. 11, a bill for an act requiring U. S. flags to be placed in all schools within the State of Iowa, and providing that patriotic music be sung and taught.

Read first and second times and referred to the Committee on Schools.

By Senator Vale, Senate file No. 12, a bill for an act to limit the liabilities of a State bank.

Read first and second times and referred to the Committee on Banks.

By Senator Funk, Senate file No. 13, a bill for an act restraining railway corporations from limiting the life of railway mileage.

Read first and second times and referred to the Committee on Railways.

By Senator Cassatt, Senate file No. 14, 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 Reiniger, Senate file No. 15, a bill for an act providing for the submission of the question of calling a constitutional convention to the qualified electors of the State, as provided by section three (3), article ten (10), of the constitution of this State.

Read first and second times and referred to the Committee on Constitutional Amendments and Suffrage.

By Senator Bailey, Senate file No. 16, a bill for an act to encourage the holding of county farmers' institutes.

Read first and second times and referred to the Committee on Agriculture.

By Senator Perkins, Senate file No. 17, a bill for an act to provide for the appointment of county superintendents of schools by the board of supervisors of the several counties of the State of Iowa.

Read first and second times and referred to the Committee on Schools.

By Senator Perkins, Senate file No. 18, a bill for an act to better equalize taxation and instruct assessors in performing their duties.

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

By Senator Mack, Senate file No. 19, a bill for an act to establish and maintain the Northwestern Normal School, for the instruction and training of teachers, and to provide for the selection of sites for other normal schools.

Read first and second times and referred to the Committee on Educational Institutions.

By Senator Mack, Senate file No. 20, a bill for an act to require the attendance of children between the ages of seven and fifteen years at some public or private school for not less than twelve weeks in each year, in which reading, writing, arithmetic and American history are taught in the English language.

Read first and second times and referred to the Committee on Schools.

By Senator Engle, Senate file No. 21, 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.

By Senator Groneweg, Senate file No. 22, a bill for an act to establish the rates of passenger fares on railroads within the State of Iowa, and to repeal section two (2), chapter sixty-eight (68), laws of the Fifteenth (15) General Assembly.

Read first and second times and referred to the Committee on Railways.

By Senator Engle, Senate file No. 23, a bill for an act to establish an industrial school for adult blind.

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

By Senator Meservey, Senate file No. 24, 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.

Read first and second times and referred to the Committee on Commerce.

By Senator Kegler, Senate file No. 25, a bill for an act to amend sections 401 and 411, title 4, chapter 9, of the Code, in relation to township collectors' bonds, and forming collectors' districts.

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

By Senator Kelly, Senate file No. 27, 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 Ways and Means.

By Senator Kelly, Senate file No. 28, a bill for an act to amend section 2, chapter 178, acts of the Twentieth General Assembly.

Read first and second times and referred to the Committee on Military.

By Senator Kelly, Senate file No. 29, a bill for an act to amend section 814 of the Code, relating to listing of property for taxation.

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

By Senator Kelly, Senate file No. 30, a bill for an act to amend section 303 of the Code, 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 Seeds, Senate file No. 31, 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 McVay, Senate file No. 32, 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 of Iowa.

Read first and second times and referred to the Committee on Schools.

By Senator Funk, Senate file No. 33, a bill for an act in relation to school holidays, and attendance upon teachers' institutes.

Read first and second times and referred to the Committee on Schools.

By Senator Funk, Senate file No. 34, 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 Price, Senate file No. 35, a bill for an act to repeal section twenty-one hundred and fourteen (2114) of the Code of Iowa, and enact a substitute therefor.

Senator Woolson moved to refer Senate file No. 35 to the Committee on Judiciary.

Senator Price moved to amend by striking out the word "judiciary" and inserting "banks."

The yeas and nays were demanded.

The yeas were:

Senators Barnett, Bills, Brower, Davidson, Dungan, Engle, Finn, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Mattoon, McVay, Meservey, Mills, Mosnat, Price, Rich, Taylor and Weidman—22.

The nays were:

Senators Bailey, Barrett, Bayless, Bolter, Cassatt, Cleveland, Clyde, Funk, Kent, Lawrence, Mack, Parrott, Perkins, Reiniger, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Vale, Wolfe and Woolson—22.

Absent or not voting:

Senators Ballingall, Caldwell, Dodge, Kelly, McCoy and Schmidt—6.

The chair voting yea.

So the amendment was adopted.

The question now being on the original motion as amended, it was adopted.

Senators Schmidt and Kelly were excused.

The President announced the following paper-folders:

Mrs. L. L. Babcock and Mrs. F. W. Vinson.

Also the list of pages: Joseph Weidman, Charles P. Mills, Robert Reiniger, Ralph S. McCoy, Clarence DeMoss and Chase Pierce.

Senator Seeds moved that the Senate do now adjourn until 2:30 o'clock P. M.

Senator Bayless moved to amend by making it 2 o'clock.

Adopted.

The motion as amended was adopted, and the Senate adjourned.

AFTERNOON SESSION.

Senate reconvened at 2 o'clock P. M.

INTRODUCTION OF BILLS.

By Senator Price, Senate file No. 36, a bill for an act for the publication and distribution of school text-books and to secure uniform text-books in the common schools of the State of Iowa.

Read first and second times and referred to the Committee on Schools.

By Senator Barnett, Senate file No. 37, a bill for an act to repeal the last subdivision of section 3061 of the Code, and to enact a substitute therefor, relating to the interest on judgments when stay of execution is had.

Read first and second times and referred to the Committee on Judiciary.

By Senator Barnett, Senate file No. 38, a bill for an act to provide for the listing and assessment for taxation of the capital stock of banks organized under the laws of this State.

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

By Senator Taylor, Senate file No. 39, 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.

By Senator Cleveland, Senate file No. 40, a bill for an act to provide for printing and distributing ballots at the public expense, and to regulate voting at State and other elections.

Read first and second times and referred to the Committee on Elections.

By Senator Cleveland, Senate file No. 41, a bill for an act to amend section one (1), chapter 105, of laws of the Twenty-second General Assembly, relating to the relief of Union soldiers, sailors and marines.

Read first and second times and referred to the Committee on Military.

By Senator Engle, Senate file No. 42, a bill for an act conferring upon women the right to vote at school elections.

Read first and second times and referred to the Committee on Constitutional Amendments and Suffrage.

By Senator Gatch, Senate file No. 43, a bill for an act making an appropriation for the purpose of improving the grounds, and completing the frescoing, wall painting and wood-finishing of the new capitol.

Read first and second times and referred to the Committee on Appropriations.

By Senator Gatch, Senate file No. 44, a bill for an act to provide for the punishment of habitual criminals.

Read first and second times and referred to the Committee on Judiciary.

By Senator Taylor, Senate file No. 45, a bill for an act to provide for printing and distributing ballots at public expense, to regulate voting at State and municipal elections, and to provide places in which to hold elections.

Read first and second times and referred to the Committee on Elections.

By Senator Kent, Senate file No. 46, 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.

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

By Senator Smith of Linn, Senate file No. 47, a bill for an act to amend chapter 61 of the laws of the Twenty-second General Assembly, entitled 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 of Linn, Senate file No. 48, a bill for an act to amend chapter 39, 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.

By Senator Woolson, Senate file No. 49, a bill for an act making appropriations for the Hospital for the Insane at Mount Pleasant, Iowa.

Read first and by leave Senator Woolson withdrew the above bill.

By Senator Funk, Senate file No. 51, a bill for an act for the protection and preservation of fish, and repealing sections 1, 2, 3, 4, 6, 7, 8, 9, 10 and 11, chapter 59, acts of the Fifteenth General Assembly; chapter 70, acts of the Sixteenth General Assembly; sections 3, 4, 5, 6, 7 and 8, of chapter 80, acts of the Seventeenth General Assembly; chapter 92, acts of the Eighteenth General Assembly, and chapter 9, acts of the Twentieth General Assembly.

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

By Senator Barnett, Senate file No. 52, a bill for an act to compel insurance companies to pay full amount of policy.

Read first time and by leave Senator Barnett withdrew the above bill.

By Senator Barnett, Senate file No. 53, a bill for an act to abolish the office of Fish Commissioner of the State of Iowa.

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

By Senator Barnett, Senate file No. 54, a bill for an act to amend section two (2), chapter sixty-eight (68), of the acts of the Fifteenth General Assembly, fixing the maximum charge for the transportation of passengers on the different railroads of the State.

Read first and second times and referred to the Committee on Railways.

By Senator Reiniger, by request, Senate file No. 55, a bill for an act to amend section number nine hundred and six (906) of the code relating to peddlers.

Read first and second times and referred to the Committee on Commerce.

By Senator Price, Senate file No. 56, a bill for an act to repeal section thirty-eight hundred and twelve (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 Groneweg, Senate file No. 57, a bill for an act to authorize the board of supervisors of any county to submit to the legal voters of any township, incorporated city or town, or city organized under special charter, the proposition whether or not a license for the sale of spirituous, malt or vinous liquors shall be granted, to establish rules, regulations and restrictions under which such liquors may be sold in townships, incorporated cities and towns, and cities organized under special charter, wherein the voters, by a majority vote, have declared in favor thereof; to fix the license fee for the privilege of selling liquors in such localities; and to provide for penalties and fines for any violations of the provisions of this act; to grant permits to druggists upon certain conditions, without license, and to repeal acts and parts of acts inconsistent with this act, including sections 1523, 1525, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558 and 1559, of the Code of 1873, and chapter 119 of the Seventeenth General Assembly, and chapter 82 of the Eighteenth General Assembly, and

chapters 8 and 143 of the Twentieth General Assembly, and chapters 66 and 113 of the Twenty-first General Assembly, and chapters 71, 72 and 73 of the Twenty-second General Assembly; also to permit persons to sell wine made from grapes grown or raised upon land owned or occupied by them within the State of Iowa, in quantities of not less than one gallon, without paying a license therefor. Read first and second times and referred to the Committee on Suppression of Intemperance.

By Senator Schmidt, Senate file No. 58, a bill for an act to render privileged confidential communications to editors, publishers and reporters for newspapers.

Read first and second times and referred to the Committee on Printing.

By Senator Dodge, Senate file No. 59, a bill for an act to require hotels, inns and boarding houses to provide means of escape in case of fire.

Read first and second times and referred to the Committee on Judiciary.

By Senator Bayless, Senate file No. 60, a bill for an act to repeal chapter 69, laws of the Sixteenth General Assembly, and to enact a substitute therefor, relating to vagrants.

Read first and second times and referred to the Committee on Judiciary.

By Senator Mack, Senate file No. 61, a bill for an act providing a plan whereby the people of an independent school district, or district township, may by a majority vote empower the directors to purchase school books in large quantities, thereby obtaining the same at the lowest possible price, and secure uniformity in text-books in said school districts.

Read first and second times and referred to the Committee on Schools.

By Senator Dodge, Senate file No. 62, a bill for an act to "prohibit the employment of children under fourteen years of age in mines, factories and workshops."

Read first and second times and referred to the Committee on Labor.

By Senator Reiniger, Senate file No. 63, 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 Finn, Senate file No. 64, a bill for an act to prohibit the

use of heating stoves in steam railway passenger coaches, and to protect human life.

Read first and second times and referred to the Committee on Railways.

By Senator Finn, Senate file No. 65, a bill for an act to amend chapter 185, acts of the Twentieth General Assembly, in relation to the inspection and sale of products of petroleum.

Read first and second times and referred to the Committee on Compensation of Public Officers.

By Senator Smith of Linn, Senate file No. 66, a bill for an act to amend section 853, chapter 1, title 6 of the Code, relating to the lien of taxes between vendor and vendee.

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

By Senator Vale, Senate file No. 67, 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 Vale, Senate file No. 68, a bill for an act to amend section 4215 of the Code of Iowa, relating to arrests by private persons.

Read first and second times and referred to the Committee on Judiciary.

By Senator Vale, Senate file No. 69, 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 Reiniger, Senate file No. 70, a bill for an act providing for a system of industrial and manual training schools in connection with the common schools in the State.

Read first and second times and referred to the Committee on Schools.

By Senator Dodge, Senate file No. 71, a bill for an act to regulate the charges for transporting State troops, stores, materials, camp equipages, horses and arms, upon the railroads of this State.

Read first and second times and referred to the Committee on Military.

By Senator Taylor, by request, Senate file No. 72, a bill for an act to compel employers to pay their employes semi-monthly.

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

By Senator Schmidt, Senate file No. 73, a bill for an act to facilitate the transfer of real-estate for taxation.

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

By Senator Kegler, Senate file No. 74, a bill for an act to repeal chapter fifty-nine (59), of the Seventeenth (17) General Assembly, in relation to the 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.

By Senator Kegler, Senate file No. 75, a bill for an act to establish a board of commissioners to regulate the price of text-books, and to furnish text-books free to indigent children, and to prohibit school officers from acting as agents for, or receiving compensation from any corporation, firm or person selling text-books or school supplies.

Read first and second times and referred to the Committee on Schools.

By Senator Cleveland, Senate file No. 76, a bill for an act to repeal section 307 of the Code, and enact a substitute therefor in relation to the publishing of the proceedings of boards of supervisors.

Read first and second times and referred to the Committee on Printing.

By Senator Gatch, Senate file No. 77, a bill for an act to provide for the establishment of a board of supervision of State institutions and offices.

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

By Senator Gatch, Senate file No. 78, 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 Ways and Means.

By Senator Meservey, Senate file No. 79, a bill for an act to repeal chapter 45, of the laws of the Seventeenth General Assembly, and to enact a substitute therefor, to establish a weather and crop service, and for the collection and dissemination of crop statistics and meteorological data.

Read first and second times and referred to the Committee on Agriculture.

By Senator Bills, Senate file No. 80, a bill for an act to amend chapter 151, laws of the Eighteenth General Assembly, relating to the State Board of Health and local boards of health.

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

By Senator Kegler, Senate file No. 81, a bill for an act to amend section two thousand two hundred and twenty-three (2223), title fifteen (15), chapter three (3), of the Code, in relation to obtaining divorces.

Read first and second times and referred to the Committee on Judiciary.

By Senator Gobble, Senate file No. 82, a bill for an act to establish a board of inspectors for steam boilers, and to provide for licensing engineers of steam engines.

Read first and second times and referred to the Committee on Commerce.

By Senator Price, Senate file No. 83, a bill for an act for the relief of Adair county.

Read first and second times and referred to the Committee on Appropriations.

By Senator Gobble, Senate file No. 84, a bill for an act to provide for the assessment of mortgages or of mortgaged property, and to prevent double assessment.

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

By Senator Mosnat, Senate file No. 85, 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 Printing.

By Senator, Mosnat by request, Senate file No. 86, a bill for an act to recover money and property lost on games of chance and bets made thereon.

Read first and second times and referred to the Committee on Judiciary.

By Senator Mosnat, by request, Senate file No. 87, a bill for an act to amend section 2927, of the Code, providing for bond for costs in certain cases.

Read first and second times and referred to the Committee on Judiciary.

By Senator Barnett, Senate file No. 88, a bill for an act to amend section 2077, Code of Iowa.

Read first and second times and referred to the Committee on Commerce.

By Senator Hanchett, Senate file No. 89, a bill for an act to regulate railroads and other common carriers.

Read first and second times and referred to the Committee on Railways.

By Senator Bills, Senate file No. 90, a bill for an act to repeal section 1718 of the Code and enact a substitute therefor, to provide that sub-directors shall be chosen for a term of three years.

Read first and second times and referred to the Committee on Schools.

By Senator Mills, Senate file No. 91, a bill for an act to amend section twenty hundred and eighty (2080) of the Code, relating to promissory notes and other contracts.

Read first and second times and on motion of Senator Mills was referred to the Committee on Agriculture.

By Senator Schmidt, Senate file No. 92, a bill for an act authorizing board of directors of any district township or independent school district to supply school books to the pupils free of cost.

Read first and second times and referred to the Committee on Schools.

By Senator Schmidt, Senate file No. 93, a bill for an act to repeal section two (2) of chapter sixty-eight (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 first and second times and referred to the Committee on Railways.

By Senator Reiniger, Senate file No. 94, a bill for an act to prohibit pools, trusts and combinations in specified cases.

Read first and second times and referred to the Committee on Commerce.

By Senator Engle, Senate file No. 95, a bill for an act to prohibit selling, giving or furnishing tobacco in any of its forms to minors, and providing a penalty therefor.

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

By Senator Dungan, Senate file No. 96, a bill for an act to amend chapter 28, acts of the Twenty-second General Assembly, so as to secure joint rates between connecting lines of railroads in this State.

Read first and second times and referred to the Committee on Railways.

By Senator Vale, Senate file No. 97, a bill for an act to prevent railway companies, operating railways in the State of Iowa, from compelling their employes to furnish at their own expense any uniform or equipments to be used in the performance of duty as such employes, and providing penalties for violations of the same.

Read first and second times and referred to the Committee on Railways.

By Senator Gatch, Senate file No. 98, a bill for an act to exempt, after the year 1890, homesteads from ordinary taxation to the value of \$500.

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

By Senator Reiniger, by request, Senate file No. 99, a bill for an

act legalizing the acts of the council of the city of Charles City, Floyd county, Iowa, and legalizing the ordinances and resolutions passed and adopted for the government of said city.

Read first and second times and referred to the Committee on Judiciary.

By Senator Mattoon, Senate file No. 100, 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 first and second times and referred to the Committee on Schools.

By Senator Bills, Senate file No. 101, a bill for an act to amend section 1578 of the Code, to provide an abridged pamphlet edition of the school laws for the use of teachers.

Read first and second times and referred to the Committee on Schools.

By Senator Funk, Senate file No. 102, a bill for an act to amend sections 2 and 3 of chapter 22 of the acts of the Eighteenth General Assembly relating to reports of expenses of criminal prosecutions.

Read first and second times and referred to the Committee on Judiciary.

By Senator Dungan, Senate file No. 103, a bill for an act relating to fire insurance, and to punish pools, trusts and conspiracies therein.

Read first and second times and referred to the Committee on Insurance.

By Senator Meservey, Senate file No. 104, a bill for an act to establish a normal school at Le Mars, Plymouth county, Iowa, and appropriating \$100,000 therefor.

Read first and second times and referred to the Committee on Educational Institutions.

By Senator Bayless, Senate file No. 105, a bill for an act to amend section 17, chapter 94, laws of the Nineteenth General Assembly.

Read first and second times and referred to the Committee on Compensation of Public Officers.

By Senator Weidman, Senate file No. 106, a bill for an act creating a board of school text-book commissioners, to provide by contract or otherwise a suitable series of uniform text-books for the use of the common schools of the State of Iowa, and making appropriation for carrying out the provisions of this act.

Read first and second times and referred to the Committee on Schools.

By Senator Mattoon, Senate file No. 107, 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 Corporations.

By Senator Kent, Senate file No. 108, a bill for an act making appropriations for the penitentiary at Ft. Madison, Iowa.

Read first and second times and referred to the Committee on Appropriations.

By Senator Finn, by request. Senate file No. 109, 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' monument.

Read first and second times and referred to the Committee on Military.

By Senator Barnett, Senate file No. 110, a bill for an act giving a bounty on wolves killed in the State of Iowa.

Read first and second times and referred to the Committee on Agriculture.

By Senator Rich, by request. Senate file No. 111, a bill for an act amendatory of chapters 71 and 73 of the acts of the Twenty-second General Assembly, and to provide for local option in respect to manufacturing and selling intoxicating liquors, by permitting, under certain conditions, any city, town or township to vote for or against license, and providing for the granting of license for dram shops, and for the manufacture of such liquors respectively, in the respective cities, towns or townships which shall by vote of the electors thereof favor license.

Read first and second times and referred to the Committee on Suppression of Intemperance.

By Senator Hanchett, Senate file No. 112, 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.

By Senator Harsh, Senate file No. 113, a bill for an act to amend chapter 16, laws of the Twenty-second General Assembly, entitled: "An act granting additional powers to certain cities of the first class, and to cities organized under special charters, and cities of the second class having over seven thousand inhabitants."

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

By Senator Parrott, Senate file No. 114, a bill for an act to create an insurance department.

Read first and second times and referred to the Committee on Insurance.

By Senator Barnett, Senate file No. 115, a bill for an act defining the liability of fire insurance companies in this State.

Read first and second times and referred to the Committee on Insurance.

By Senator Davidson, Senate file No. 116, a bill for an act to amend sections 603, 606, 615 and 616 of chapter three, title five, of the Code, relating to elections.

Read first and second times and referred to the Committee on Elections.

By Senator Meservey, Senate file No. 117, 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.

By Senator Mosnat, Senate file No. 118, a bill for an act making appropriations for the College for the Blind at Vinton.

Read first and second times and referred to the Committee on Appropriations.

By Senator Perkins, Senate file No. 119, a bill for an act to authorize the Auditor to credit Fremont county on account of school fund and county fund.

Read first and second times and referred to the Committee on Claims.

By Senator Schmidt, Senate file No. 120, a bill for an act empowering cities organized under special charters to establish boards of public works.

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

By Senator Schmidt, Senate file No. 121, a bill for an act establishing and governing mutual loan and building associations.

Read first and second times and referred to the Committee on Corporations.

By Senator Dodge, Senate file No. 122, 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.

By Senator Clyde, Senate file No. 123, a bill for an act to repeal Section 631 of the Code of 1873 of Iowa, and to enact a substitute therefore.

Read first and second times and referred to the Committee on Judiciary.

By Senator Clyde, Senate file No. 124, a bill for an act to prevent

the forfeiture of insurance policies in certain cases, and to designate where the burden of proof shall be in such cases.

Read first and second times and referred to the Committee on Insurance.

By Senator Clyde, Senate file No. 125, a bill for an act to prevent the use of language calculated to cause a breach of the peace.

Read first and second times and referred to the Committee on Judiciary.

By Senator Mills, Senate file No. 126, a bill for an act making an appropriation for the Iowa Soldiers' Home at Marshalltown.

Read first and second times and referred to the Committee on Appropriations.

By Senator Mills, Senate file No. 127, a bill for an act to amend section 16 of chapter 58 of the laws of the Twenty-first General Assembly.

Read first and second times and referred to the Committee on Compensation of Public Officers.

By Senator Mills, Senate file No. 128, a bill for an act to amend section one of chapter one hundred and twenty-one of the laws of the Twenty-second General Assembly.

Read first and second times and referred to the Committee on Compensation of Public Officers.

By Senator Hanchett, Senate file No. 129, a bill for an act providing for and regulating the charges or rates for berths, sections and state rooms of sleeping cars in the State of Iowa.

Read first and second times and referred to the Committee on Railways.

By Senator Gatch, Senate file No. 130, a bill for an act to amend section 2962 and 2965 of the Code of Iowa, relating to attachments.

Read first and second times and referred to the Committee on Judiciary.

By Senator Gatch, Senate file No. 131, a bill for an act to amend section 2117 of the Code of Iowa, relating to assignment for the benefit of creditors.

Read first and second times and referred to the Committee on Judiciary.

By Senator Mills, Senate file No. 132, a bill for an act to authorize certain cities of the second class to provide for the construction of sewers.

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

By Senator Mills, Senate file No. 133, a bill for an act to establish and maintain a fire department in certain cities of the second class.

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

By Senator Dungan, by request, Senate file No. 134, a bill for an act relating to the liability of mine operators for the negligence or wrongs of their employees.

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

By Senator Smith of Wright, Senate file No. 135, a bill for an act to amend section 456 of the Code of 1873, in relation to powers of cities and towns.

Read first and second times and referred to the Committee on Commerce.

By Senator Davidson, Senate file No. 136, a bill for an act to amend section 8, chapter 200, of the acts of the Twentieth General Assembly, relating to highways.

Read first and second times and referred to the Committee on Highways.

By Senator Brower, Senate file No. 137, a bill for an act relating to the appointment of official court reporters, the duties of same and providing for compensation therefor.

Read first and second times and referred to the Committee on Compensation of Public Officers.

By Senator Mills, Senate file No. 138, a bill for an act to appropriate money to pay Lieutenant Rufus Goodnough for services rendered the State of Iowa during the year 1861.

Read first and second times and referred to the Committee on Claims.

By Senator Perkins, Senate file No. 139, a bill for an act conferring on women the right to vote at municipal elections.

Read first and second times and referred to the Committee on Constitutional Amendments and Suffrage.

By Senator Engle, Senate file No. 140, a bill for an act for the inspection of steam boilers and stationary, portable and traction engines, and licensing engineers thereof.

Read first and second times and referred to the Committee on Commerce.

By Senator Seeds, Senate file No. 141, a bill for an act making the 12th day of February a legal holiday, and providing for its suitable observance by the public schools when in session.

Read first and second times and referred to the Committee on Schools.

By Senator Lawrence, Senate file No. 142, a bill for an act to amend

section 3173 of the Code, limiting the right of appeal to the supreme court.

Read first and second times and referred to Committee on Judiciary.

By Senator Lawrence, Senate file No. 143, a bill for an act providing for the incorporation of independent water works districts in the State of Iowa, and defining the powers and duties thereof.

Read first, and by consent Senator Lawrence withdrew the above bill.

By Senator Lawrence, Senate file No. 144, a bill for an act authorizing cities to deepen, widen, straighten, wall up, cover, alter, change, or divert from its natural channel, and to conduct the same in artificial channels or into or through covered drains or sewers to be constructed for the purpose, any water course within the corporate limits of said cities, and to provide the manner in which the same shall be done, and to authorize the levy and collection of a special tax and the levy of special assessments to defray the cost and expense thereof.

Read first and second times and referred to Committee on Cities and Towns.

By Senator Lawrence, Senate file No. 145, a bill for an act creating and establishing the appellate court, and defining the powers and jurisdiction thereof.

Read first and second times and referred to the Committee on Judiciary.

By Senator Lawrence, Senate file No. 146, a bill for an act to authorize cities of the first and second class to issue bonds and to provide their payment, principal and interest.

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

By Senator Hanchett, Senate file No. 147, a bill for an act prohibiting the formation of pools, trusts, and conspiracies, and fixing the penalty for a violation thereof in the State of Iowa.

Read first and second times and referred to the Committee on Commerce.

By Senator McCoy, Senate file No. 148, a bill for an act to establish and maintain a Normal school for the instruction and training of teachers for the southeast quarter of the State of Iowa.

Read first and second times and referred to the Committee on Educational Institutions.

By Senator Gatch, Senate file No. 149, a bill for an act to amend section 1544 of the Code relating to search warrants and seizures thereunder.

Read first and second times and referred to the Committee on Suppression of Intemperance.

By Senator Gatch, Senate file No. 150, a bill for an act to impose a collateral inheritance tax.

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

By Senator Reiniger, Senate file No. 151, a bill for an act to amend section 4043 of the Code relating to lotteries.

Read first and second times and referred to the Committee on Judiciary.

By Senator Vale, Senate file No. 152, a bill for an act to amend section 1766 of the Code, as amended by chapter 143, laws of the Seventeenth General Assembly, to provide for additional public examinations of teachers.

Read first and second times and referred to the Committee on Schools.

By Senator Gatch, Senate file No. 153, a bill for an act to legalize certain ordinances of the incorporated town of Mitchellville, in the county of Polk and State of Iowa.

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

By Senator Lawrence, Senate file No. 154, a bill for an act authorizing cities having a population of 5,000 inhabitants, or more, to permit the sale of intoxicating liquors as a beverage, and to permit its manufacture and sale in such cities.

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

By Senator Hanchett, Senate file No. 155, a bill for an act for the relief of Louis Case, of Bremer 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.

By Senator Schmidt, Senate file No. 156, a bill for an act making further provision with respect to contracts by cities organized under special charters for paving and curbing streets, and the construction of sewers, and the making and collection by such cities of assessments, and the issuance of bonds or certificates by such cities to pay for such improvements.

Read first and second times, and referred to the Committee on Cities and Towns.

By Senator Schmidt, Senate file No. 157, 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.

Read first and second times, and referred to the Committee on Appropriations.

By Senator Kegler, Senate file No. 158, 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 Bayless, Senate file No. 159, a bill for an act to amend the Military Code.

Read first and second times, and referred to the Committee on Military.

By Senator Perkins, Senate file No. 160, a bill for an act to define the crime of extortion and usury, and to provide adequate punishment for violations.

Read first and second times, and referred to the Committee on Judiciary.

By Senator Parrott, Senate file No. 161, a bill for an act to amend section 1072 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 Weidman, Senate file No. 162, a bill for an act making an appropriation for the Institution for the Feeble-minded Children at Glenwood, Iowa.

Read first and second times, and referred to the Committee on Appropriations.

By Senator Weidman, Senate file No. 163, a bill for an act to repeal section 9, of chapter 41, acts of the Nineteenth General Assembly, and to enact a substitute therefor.

Read first and second times, and referred to the Committee on Charitable Institutions.

By Senator Engle, Senate file No. 164, a bill for an act to amend section 506 of the Code of 1873.

Read first and second times, and referred to the Committee on Compensation of Public Officers.

By Senator Wolfe, Senate file No. 165, a bill for an act limiting the commencement of actions to set aside the probate of wills.

Read first and second times, and referred to Committee on Judiciary.

By Senator Wolfe, Senate file No. 166, a bill for an act to amend section one, of chapter sixteen, laws of the Twenty-second General Assembly, relating to the granting of powers to certain cities.

Read first and second times and referred to the Committee on Agriculture.

By Senator Wolfe, Senate file No. 167, a bill for an act to amend

sections six and sixteen of chapter sixty-five, laws of the Twenty-first General Assembly, relating to insurance.

Read first and second times and referred to the Committee on Judiciary.

By Senator Funk, Senate file No. 168, a bill for an act to establish and maintain a normal school at Algona, Kossuth county, Iowa.

Read first and second times and referred to the Committee on Educational Institutions.

By Senator Mills, Senate file No. 169, a bill for an act to appropriate money to reimburse Seig and Size, of Linn township, Marshall county, Iowa, for horses condemned and killed as glandered horses.

Read first and second times and referred to the Committee on Claims.

By Senator Vale, Senate file No. 170, a bill for an act to protect persons and property from danger from steam engines when traveling on the public highways.

Read first and second times and referred to the Committee on Highways.

By Senator Bills, by request, Senate file No. 171, a bill for an act amendatory of chapter 36, acts of the Nineteenth General Assembly, in relation to the practice of dentistry in the State of Iowa.

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

By Senator Gatch, Senate file No. 172, a bill for an act to extend the limits of cities, and for other purposes incident thereto.

Read first and second times and referred to the Committee on Cities and Towns, with instructions to report not later than March 5.

By Senator Mack, Senate file No. 173, a bill for an act to amend chapter nine of the laws of the 20th General Assembly, relating to the protection and preservation of fish in the permanent lakes and ponds within the State of Iowa.

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

By Senator Caldwell, Senate file No. 174, a bill for an act to prohibit railroad companies owning or operating a line of railway in this State from placing any hand-car, road-car or other machinery, material or debris, within fifty feet of any public highway where such highway crosses said railway track.

Read first and second times and referred to the Committee on Railways.

By Senator Caldwell, Senate file No. 175, a bill for an act to amend chapter thirty (30) of the laws of the Twenty-second General Assem-

bly, approved April 6, 1888, and to remit certain penalties incurred thereunder.

Read first and second times and referred to the Committee on Railways.

By Senator Parrott, Senate file No. 176, a bill for an act to amend section 9, 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 Seeds, Senate file No. 177, a bill for an act to amend chapter 80, of the laws of the Twenty-second General Assembly, in relation to the prevention of fraud in the sale of flour and other mill products.

Read first and second times and referred to the Committee on Commerce.

By Senator Seeds, by request, Senate file No. 178, a bill for an act to provide for the election of county superintendents of schools by the boards of directors of the several counties of the State of Iowa.

Read first and second times and referred to the Committee on Schools.

By Senator Lawrence, Senate file No. 179, a bill for an act to repeal section 3787 of the Code, and to enact a substitute therefor in relation to fees of the clerk of the district court.

Read first and second times and referred to the Committee on Schools.

By Senator Lawrence, Senate file No. 180, a bill for an act to regulate and fix the rental for the use of telephones and for labor and service charges for switching, construction and maintenance of telephone lines, batteries and apparatus connected therewith and fixing a penalty for its violation.

Read first and second times and referred to the Committee on Retrenchment and Reform.

By Senator Perkins, Senate file No. 181, a bill for an act to prevent unnecessary county costs in criminal prosecutions.

Read first and second times and referred to the Committee on Judiciary.

By Senator Bills, Senate file No. 182, a bill for an act to repeal chapter eighty of the acts of the 22d General Assembly, and enact a substitute therefore relating to the prevention of fraud in the sale of flour and other mill products.

Read first and second times and referred to the Committee on Commerce.

By Senator Weidman, by request, Senate file No. 183, a bill for an

act to amend section 3844 of the Code of 1873, in regard to county officers.

Read first and second times and referred to the Committee on Compensation of Public Officers.

By Senator Mills, Senate file No. 184, a bill for an act to provide for the publication of the annual proceedings of the Iowa State Dairymen's Association.

Read first and second times and referred to the Committee on Agriculture.

By Senator Gatch, Senate file No. 185, a bill for an act to amend section 9, chapter 21, acts of the Twentieth General Assembly, as amended by section 2, chapter 56, acts of the Twenty-second General Assembly, relative to escape shafts in coal mines.

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

By Senator Gatch, Senate file No. 186, a bill for an act for the relief of F. Harbach.

Read first and second times and referred to the Committee on Judiciary.

By Senator Dodge, Senate file No. 187, a bill for an act for the relief of Philip Raush, accompanied by petition.

Read first and second times and referred to the Committee on Judiciary.

By Senator Dodge, Senate file No. 188, a bill for an act concerning the printing of the biennial report of the Commissioner of the Bureau of Labor Statistics.

Read first and second times and referred to the Committee on Labor.

On motion of Senator Funk 300 additional copies of Senate file No. 51 were ordered printed.

On motion of Senator Groneweg 300 extra copies of Senate file No. 57 were ordered printed.

On motion of Senator Reiniger 200 extra copies of Senate file No. 70 were ordered printed.

Journal of yesterday was corrected and approved.

Senators Stewart and Bailey were excused.

Senator Parrott offered the following resolution:

Resolved, That a committee of five be appointed to arrange a schedule for hours of meeting of the various standing committees of the Senate.

Adopted.

The President appointed Senators Vale and Mack as members of the Committees on Banks and Printing, respectively, in place of Senator Harsh, who had been excused from service on these committees.

Senator Gatch offered the following resolution:

Resolved, That after March 1st, and until otherwise ordered, there be but one daily session of the Senate and that to the end of affording sufficient time for committee work, the one session be in the morning commencing at 10 o'clock A. M.

Adopted.

REPORT OF COMMITTEE.

To the Senate of the Twenty-third General Assembly of Iowa:

The undersigned, your committee appointed by your body to present your resolution to the "Pioneer Law Makers' Union of Iowa" inviting them to visit the Senate at their convenience, do hereby report that we have performed that duty, and that in such invitation and resolution, the said association adopted the resolution hereto attached, all of which is respectfully submitted.

EDGAR E. MACK,
W. F. CLEVELAND,
Committee.

Resolved, That the Pioneer Law Makers' Association cordially thank the Senate of the Twenty-third General Assembly for their very kind invitation to visit them at the Senate Chamber and express their regret that by reason of prior orders and engagements we are unable to accept.

BEN VAN STEINBERG, Secy.

Adopted 2-28-'90.

Senator Taylor presented the following Joint Resolution and Memorial No. 1, to the Congress of the United States, in relation to the election of United States Senator by popular vote of the people.

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 the direct vote of the people of the several States, 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.

Also, the following Joint Resolution and Memorial to Congress, No. 2, relative to removing some of the burdens from agriculture:

Be it enacted by the General Assembly of the State of Iowa:

That our members of Congress are earnestly requested to at once introduce, work and vote for a bill placing jute, and Siral grass on the free list, to the end that the farmers of this State and of the nation may be relieved from further paying exorbitant prices for binding twine; said prices being caused largely by the unnecessary tariff tax now levied and collected on said raw material. The Secretary of State is hereby directed to prepare and forward copies of this resolution to each of our members of Congress.

Read first and second times and referred to the Committee on Federal Relations.

Senator Schmidt presented the following Memorial and Joint Resolution, No. 3, relative to the construction of a canal from the Mississippi river to the Illinois river at Hennepin, in the State of Illinois.

WHEREAS, The question of cheap transportation by an uninterrupted water-route between the Mississippi river and the Atlantic sea-board, by way of the great lakes, has long been one of all-absorbing interest to the people of the food-producing States of the northwest; and,

WHEREAS, The General Assembly of Iowa has repeatedly memorialized Congress for the construction of this water-route, and urged upon Congress the construction of the same; and,

WHEREAS, The construction of this canal has received more endorsement since 1844 than any other water-way on the continent of America; and,

WHEREAS, A board of civil engineers has surveyed, located and approved of the construction of this water-way from Hennepin to the Mississippi river at the mouth of Rock river; and,

WHEREAS, At the water convention held September 3d and 4th, in Cincinnati, Ohio, a resolution passed said convention, urging upon Congress to make an immediate appropriation therefor; now, therefore,

Be it resolved by the General Assembly of the State of Iowa:

That our senators and representatives in Congress are requested to vote for and use their active influence to effect such legislation by Congress as will secure an appropriation to commence the construction of said canal at an early day, and they are also requested to vote a liberal appropriation therefor to the end that said canal may be completed and opened to the commerce of the country at the earliest possible date.

Resolved, That the Secretary of State be, and he is hereby instructed, to forthwith transmit a copy hereof to each of our senators and representatives in Congress.

Read first and second times and referred to the Committee on Federal Relations.

Senator Dungan presented the following joint resolution No. 4, to the Congress of the United States in relation to the arrears of pensions.

Be it resolved by the General Assembly of the State of Iowa:

That our Senators and Representatives in Congress be and they are hereby earnestly requested, to use their best efforts to secure the repeal of the limitation contained in the arrears act of 1879, so that invalid soldiers shall share alike, and their pensions shall begin with the date of disability or discharge, and not with the date of their application.

That the Secretary of State transmit a certified copy of this resolution to each of our Senators and Representatives in Congress.

Read first and second times and referred to the Committee on Federal Relations.

PETITIONS AND MEMORIALS.

Senator Smith of Wright presented petition of H. W. McIntyre, and thirty others of Goldfield, Wright county.

Also, petition of James Whetton and others of Wright county.

Also, petition of C. N. Overbaugh and thirty-seven others of Wright county.

Also, petition of R. H. Carpenter and seventeen others of Wright county.

Also, petition of S. H. Anderson and forty others of Hamilton county.

Also, petition of Z. T. Jackson and others of Hardin county.

Also, petition of T. E. Leeper and others of Wright county.

Also, petition of J. W. Dawson and others of Wright county.

Also, petition of T. E. Osier and others of Wright county.

All asking the election of Hon. William Larrabee as United States Senator.

Passed on file.

The President presented petition of J. J. Miller and thirty-three others of Pulaska, Iowa, asking the election of Wm. B. Allison as United States Senator.

Passed on file.

Also, presented petition of C. A. Willson and thirty-four other citizens of Highland township, Tama county, same subject.

Passed on file.

Senator Davidson presented petition of H. P. Calonky and twenty other citizens of Boone county, asking for the election of Hon. Wm. Larrabee for United States Senator.

Passed on file.

Senator Price presented petition of J. E. Brooks and J. M. McGee and twenty-one other citizens of Madison and Adair counties, asking for the election of Wm. Larrabee for United States Senator.

Passed on file.

Senator Weidman presented petition of R. S. Stewart and thirty-seven other citizens of Montgomery and Mills counties asking for the election of Wm. Larrabee for United States Senator.

Passed on file.

Senator Meservey presented the following petitions: of D. C. Thompson, A. V. Hubbard, Andrew Anderson, Therm Shell, Lewis Porter, F. P. Newhart, F. W. Ulyer, J. H. Fair, E. S. Dowling, C. B. Clark, John Bower, W. P. Dawson and 386 other citizens of Cherokee and Ida counties, asking the election of Wm. Larrabee as United States Senator.

Passed on file.

Senator Perkins presented petition of Wm. Wilson and P. M. Johnson, of Fremont county, asking that some other man than W. B. Allison be elected as United States Senator.

Passed on file.

Senator Price called up his resolution relative to car service, and it was, on motion, referred to Committee on Railways.

On motion of Senator Caldwell the Senate adjourned until 10 o'clock A. M., to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, March 1, 1890. }

Senate met in regular session at 10 o'clock A. M.

Lieutenant-Governor Poyneer in the chair.

The President announced the following as members of the committee to arrange a schedule of times for meeting of committees, Senators Parrott, Woolson, Vale, Smith of Linn, and Finn.

Senator Mack was granted leave to withdraw six petitions presented by him.

PETITIONS AND MEMORIALS.

Senator Dungan presented petition of J. S. Crozier and fourteen citizens of Lucas county, commending and urging the election of William B. Allison to the United States Senate.

Passed on file.

Senator Caldwell presented petition of S. A. Young, and fifteen others of Guthrie county, asking the election of William B. Allison to the United States Senate.

Passed on file.

Senator Reiniger presented petition of S. J. Kucker and twenty-nine others, of Chickasaw county, asking the election of William B. Allison to the United States Senate.

Passed on file.

Senator Mack presented petition of C. A. Finkbine and E. H. Sprague, and ninety-five other citizens of Buena Vista and Adair counties, asking the re-election of Senator Allison.

Passed on file.

Senator Finn presented petition of David Pigott and thirty-four others, citizens of Taylor county, asking for the election of William Larrabee for United States Senator; also T. C. Carsaw, D. Whitney and Harry Hibon, and eighty others, from Cedar, Clinton and Johnson counties, asking for the re-election of Senator Allison.

Passed on file.

Senator Vale presented petition of John E. Lowe and forty-six others of Van Buren county, asking the election of W. B. Allison.

Passed on file.

Senator Vale presented petition of W. N. Chidester and sixty citizens of Jefferson county, asking the passage of Senate file No. 84, relating to the assessment of mortgages or of mortgaged property.

Referred to Committee on Ways and Means.

Senator Bills presented petition of Samuel A. Dutton and ten citizens of Durant. Cedar county, asking the election of W. B. Allison. Also petition D. B. Morrison and twenty-three others of Cedar county, asking the election of Wm. Larrabee to the United States Senate. Also petition of Joseph W. Frame and seven others of Cedar county, asking the election of Wm. Larrabee to the United States Senate.

Passed on file.

Senator Bayless presented petition of Wm. Carvers and seventy-six others, asking the election of W. B. Allison.

Passed on file.

Senator Clyde presented petition of Manly Alliance No. 919, Worth county, asking that mortgages on real estate be taxed, and the owner of the real estate relieved in proportion to the amount of the mortgage.

Referred to Committee on Ways and Means.

Senator Clyde presented petition of Cedar Alliance No. 1196, Mitchell county, asking for uniformity of school text books, and favoring Senate bill No. 32. Also petition of Mitchell Alliance in favor of uniformity of school text-books, to be furnished by the district at cost.

Referred to Committee on Schools.

Senator Cleveland presented petition of M. Collins and fifteen others of Cass county. Also petition of Albert Anderson and eighty-two citizens of Cass county. Also petition of E. A. Worthington and thirty-eight citizens of Cass county, all asking the election of Wm. Larrabee to the United States Senate.

Passed on file.

Senator Brower presented petition of Dr. E. J. Blair and eighty others of Hancock county, asking the re-election of Senator Allison.

Passed on file.

Senator Taylor presented petition of Washington Farmers' Alliance No. 1082, of Appanoose county, Iowa, consisting of thirty voters, asking the election of William Larrabee for United States Senator.

Passed on file.

Senator Smith of Wright, presented petition of H. M. Hadly and others of Hardin county, favoring the election of William Larrabee for United States Senator.

Passed on file.

Senator Smith of Wright, presented petition of H. M. Hadley and others of Hardin county, relating to two cent fare and freight on railroads.

Referred to Committee on Railways.

Senator Seeds presented petition of J. L. Ireland and ten others of Delaware county; also petition Joseph Chapman and fifteen others of Delaware county; also petition of Joseph Grimes and thirty others of Delaware county; also petition of C. E. Fogleman and eleven others of Delaware county; also petition of J. W. Davis and ninety-eight others of Delaware county, all asking the re-election of William B. Allison.

Passed on file.

Senator Bailey presented petition of O. S. Thompson and forty-seven others of Winneshiek county; also petition of P. R. Ketchum and twenty-seven others of Fayette county, both asking the re-election of Senator Allison; also petition of E. G. Opdahl and ninety others of Winneshiek county, asking the election of William Larrabee to the United States Senate.

Passed on file.

Senator Parrott presented petition of D. E. Aukes and twenty citizens of Grundy county; also petition of J. P. Crawford and others of Davenport, Iowa; also petition of A. Butterfield and thirty-four citizens of Black Hawk county; also petition of W. C. Shurtliff and fifty-one citizens of Waterloo, Iowa; also petition of J. A. Bell and others of Anamosa, all asking the re-election of Senator Allison.

Passed on file.

Senator Funk presented petition of J. M. Barker, C. A. Erickson, J. K. Stevenson, J. A. Hughes and 106 other citizens of Emmet and Palo Alto counties, favoring the election of William B. Allison for United States Senator.

Passed on file.

Senator Barrett presented petition of John Apple and thirty-five other citizens of Osceola county, asking for election of William B. Allison for United States Senator.

Passed on file.

Senator Woolson presented petition of A. H. Evans, T. F. Baldwin and thirty-six other citizens of Keokuk, asking for the re-election of Wm. B. Allison as United States Senator.

Also, petition of Robert R. Baldwin, L. H. Roberts and fifty-one citizens of Clinton, asking Senator Allison's re-election.

Also, petition of P. M. Crapo, Robert Donahue and thirty-one other Republican electors of Burlington, asking for Senator Allison's re-election.

Also, petition of J. B. Morrison, W. H. Kretzinger and forty-three other Republican electors of Ft. Madison, asking the re-election of Senator Allison.

Also, petition of Geo. W. Laird and Jacob Wright and thirty-two other Republican electors of Tiptecanoe township, Henry county, asking for Senator Allison's re-election.

Also, petition of H. Madgefran. B. Gardner and thirty other Republican electors of Wayland, Henry county, asking re-election of W. B. Allison.

Senator Gobble presented petition of Pliny Nichols and thirty others of Muscatine county, asking the re-election of Wm. B. Allison.

Passed on file.

Senator Barnett presented petition of J. L. Leggett and others, supervisors of Warren county, urging the passage of Senate file No. 38, on taxation of capital stock of State banks.

Referred to Committee on Ways and Means.

Senator Gatch presented petition of S. P. Oldfield and forty-four others of Polk county.

Also, petition of Wm. H. Shoop and twenty-three others of Polk county, asking the election of Wm. Larrabee to the United States Senate.

Passed on file.

Senator Gatch presented petition of Geo. C. Sims and twenty-nine others of Polk county.

Also, petition of J. C. Shepard and thirty Republicans of Polk county.

Also, petition of A. G. Nye and nineteen others of Polk county. All asking the re-election of W. B. Allison.

Passed on file.

Also, presented petition of citizens of Capital Park, petitioning against annexation to the city of Des Moines.

Passed on file.

Senator McVay presented petition of C. E. Brown, A. W. Olsever and 14 other citizens of Webster county.

Also, petition of D. H. Carroll and twenty-eight other citizens of Clinton county asking for re-election of Wm. B. Allison.

Passed on file.

Senator Price presented petition of R. W. Hollenback and thirty others asking for re-election of Senator Allison.

Passed on file.

Senator Caldwell presented petition of H. W. Hanna and fifty others of Gray Audubon county.

Also, presented petition of George Gray and forty citizens of Gray, Audubon county, asking the re-election of Senator Allison.

INTRODUCTION OF BILLS.

By Senator Schmidt, Senate file No. 189, a bill for an act to amend section 3902 of the Code of Iowa and making a second conviction for larceny of property under the value of twenty dollars a felony.

Read first and second times and referred to the Committee on Judiciary.

By Senator Schmidt, Senate file No. 190, a bill for an act to amend section 2,272 of the Code of 1873 and to provide for appointing guardians of the persons of habitual drunkards and for the custody, restraint and confinement of habitual drunkards, and their reformation, under orders of the district court, or the judge thereof and for terminating such guardianship.

Read first and second times and referred to the Committee on Judiciary.

By Senator Schmidt, Senate file No. 191, a bill for an act to amend sections 471, 472, 473, 474 and 475 of the Code of 1873 and chapters eleven and twenty-six of the acts of the Twenty-second General Assembly, making said sections and chapters applicable to cities under special charter, and to electric heat and power plants, also dispensing with the approval of voters to enable cities and towns to authorize electric plants, and ratifying acts heretofore done.

Read first and second times and referred to the Committee on Cities and towns.

By Senator Parrott, Senate file No. 192, a bill for an act to amend chapter 167, laws of 1882 in relation to State certificates and diplomas to teachers.

Read first and second times and referred to the Committee on Schools.

By Senator Barrett, Senate file No. 193, a bill for an act to amend section one, chapter twenty, of the laws of the Thirteenth General Assembly.

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

By Senator Caldwell, Senate file No. 194, a bill for an act to more definitely designate the State Board of Examiners as created by chapter 104, laws of the Twenty-second General Assembly.

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

By Senator Kegler, Senate file No. 195, 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.

Read first and second times and referred to the Committee on Judiciary.

By Senator Messervey, Senate file No. 196, a bill for an act to amend chapter 28, of the acts of the Twenty-second General Assembly, giving authority for the making of rates for the transportation of freight and cars over two or more lines of railroad within the State and enlarging the powers and further defining the duties of the Board of Railroad Commissioners.

Read first and second times and referred to the Committee on Railroads.

By Senator Weidman, Senate file No. 197, a bill for an act making appropriations for Benedict Home.

Read first and second times and referred to the Committee on Appropriations.

Senator Seeds for Senator Bolter, of special committee on selection of mail carriers, made the following report.

To the Senate of Iowa:

Your committee appointed to act with a like committee from the House of Representatives upon the selection of a suitable person for mail carrier for the Twenty-third General Assembly have unanimously selected Sylvester Barnes, of Warren county, Iowa, a soldier in the Union army, and recommend his election by this body.

L. R. BOLTER, *Chairman.*

T. J. CALDWELL,

ED. P. SEEDS,

On part of the Senate.

Senator Barnett moved that the report and recommendations be adopted.

Senator Smith of Linn, offered the following concurrent resolution:

Resolved, By the Senate the House concurring, that for the position of trustees of the State Agricultural College, experienced practical farmers shall be selected.

Passed over under the rules.

Senator Perkins introduced the following

JOINT RESOLUTION NO. 5.

Joint Resolution and Memorial to Congress relative to removing a fraud in the adulteration of lard.

WHEREAS, Gross and unprincipled adulteration of lard are made by the mixture of cotton seed oil and other inferior oils with pure lard, and

WHEREAS, Such a mixture is put up by the great syndicates of packers in the United States and sold as pure steam refined lard to the consumers in this and foreign countries, which practice is seriously detrimental to Iowa farmers, and

WHEREAS, Such a practice is unjust and ruinous to the hog raisers of Iowa and the great west, therefore, be it

Resolved by the General Assembly of the State of Iowa, That our Senators and Representatives in Congress are earnestly requested and urged to introduce and vote for a law looking to the punishment of such fraudulent transactions, and compelling vendors of adulterated foods, and especially lard, to label it with the name representing its constituent elements and the quantity of each ingredient used in forming the compound.

Read first and second times and referred to the Committee on Federal Relations

Senator Mac Vay offered the following concurrent resolution:

Resolved, By the Senate, the House concurring, that the committees appointed and sent out to visit the various State institutions be given until March 10th, 1890, to complete and furnish their reports to the Twenty-third General Assembly.

Adopted.

Senator Weidman moved that the Committees on Fish and Game and Highways be allowed to exchange rooms.

Carried.

Senator Price introduced the following concurrent resolution:

CONCURRENT RESOLUTION.

WHEREAS, There is now pending in the United States Congress a bill introduced by Representative Jno. F. Lacy of the Sixth District, Iowa, to enable the United States to terminate and cancel letters patent for inventions in cases of general public importance. Therefore be it

Resolved, By the Senate, the House concurring, that our members of Congress be requested to vote for said bill and do all in their power to cause the same to become a law.

Passed over under the rule.

Senator Parrott offered the following resolution:

Resolved, That upon March 4, 1890, that day being the second Tuesday after the permanent organization of the present General Assembly; the Senate at 3 o'clock P. M., do proceed to the election of a United States Senator for the term beginning March 4, 1891.

Adopted.

Senator Reiniger moved that the vote referring joint resolution No. 5, to Committees on Federal Relations be reconsidered.

Lost.

Senator Reiniger offered the following concurrent resolution:

Resolved by the Senate, the House concurring:

That our senators and representatives in Congress are hereby requested to use their influence to secure legislation that will protect the people against adulterated lard and other adulterated food, similar to the oleomargarine law.

Passed over under the rule.

Senator Meservey offered the following resolution:

WHEREAS, The supply of printed copies of certain bills introduced in the Senate has been exhausted, and there exists a demand for more copies of said bills.

Resolved, That the sergeant-at-arms be, and he is hereby instructed to cause to be printed from time to time a sufficient number of such bills, only of which the printed copies have been exhausted so as to supply the legitimate demand.

Referred to Committee on Rules.

The President presented the following communication:

MR. PRESIDENT—The Pioneer Law Makers on yesterday appointed Gov. Gue and myself a committee from their body to meet and briefly address the Senate. We are ready at such an hour this morning as it shall please your honorable body to receive us.

T. S. PARVIN.

Senator Woolson moved to appoint a committee of two to meet the gentlemen and conduct them to the Senate chamber.

Adopted.

Senators Woolson and Dodge were appointed as such committee.

INTRODUCTION OF BILLS.

By Senator Davidson, Senate file No. 198, a bill for an act to repeal section 1728 of the Code, and to enact a substitute for the same, relating to retrenchment and reform in the purchase of school textbooks and supplies, and providing for the free use of the same in the public schools of the State.

Read first and second times, and referred to the Committee on Schools.

By Senator Parrott, Senate file No. 199, a bill for an act relating to changes in Articles of Incorporation of incorporations for pecuniary profit.

Read first and second times, and referred to the Committee on Judiciary.

By Senator Bolter, Senate file No. 200, a bill for an act to regulate Private Banking in the State of Iowa, and to protect patrons of such banks.

Read first and second times, and referred to the Committee on Banks.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has passed the following concurrent resolution, in which the concurrence of the Senate is asked: in reference to mileage for members of visiting committees to State institutions.

H. S. WILCOX, *Chief Clerk*.

HOUSE MESSAGES.

On motion of Senator Mack, House messages were taken up.

The concurrent resolution relative to mileage of members of committees to visit State institutions, Senator Bayless moved to amend by inserting after the word "mileage," the words "and necessary expenses." Adopted.

The resolution, as amended, was concurred in.

On motion of Senator Taylor, the Senate took a recess of ten minutes.

Senate re-convened after recess.

Senator Parrott moved that when the Senate adjourn, it be until 10 o'clock A. M., Monday, March 3, 1890. Carried.

The committee appointed to wait on the Pioneer Law Makers appeared and presented ex-Governor Gue and Hon. T. S. Parvin.

Mr. Parvin was introduced and proceeded to address the Senate.

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 of the Senate: Relative to extending time for visiting committees to report until March 10, 1890.

H. S. WILCOX,
Chief Clerk.

On motion of Senator Dungan the Senate adjourned.

SENATE CHAMBER,
Des Moines, Iowa, Monday, March 3, 1890. }

Senate met in regular session at 10 o'clock A. M., Lieut. Gov. Poyneer in the chair.

Prayer by Rev. J. W. Washington.

Journal of Friday corrected and approved.

The President appointed as a committee on removing the battle flags to the Capitol, Senators Dungan and Bayless.

Senator Bills moved that he have privilege to withdraw certain petitions presented by him and referred to the Committee on Schools and Agriculture.

Carried.

PETITIONS AND MEMORIALS.

Senator Davidson presented petition of J. W. Page, Hon. J. E. Jennings of Luther, Boone county, and thirteen others, asking the re-election of Senator Allison.

Passed on file.

Senator Dungan presented petition of the Fifteenth Encampment Department of Iowa, Grand Army of the Republic, asking the erection of a soldiers' monument at Des Moines.

Referred to the Committee on Military.

Senator Brower presented petition of citizens of Sheffield, Franklin county, relating to the uniformity of school text-books.

Referred to the Committee on Schools.

Senator Brower presented petition of citizens of Sheffield, Franklin county, Iowa, relating to the taxing of mortgages.

Referred to the Committee on Ways and Means.

Senator Lawrence presented petition of 323 citizens of Sioux City, asking for no change in the present prohibitory law.

Referred to the Committee on Suppression of Intemperance.

Senator Bailey presented petition of John Wingate, of Burr Oak, Iowa, asking re-election of Senator Allison.

Passed on file.

Senator Price presented petition of O. Beadle, John Sandham and 243 other citizens of Madison county, asking re-election of W. B. Allison for United States Senator.

Passed on file.

Senator Finn presented petition of J. H. Humphrey and L. B. Wilson and thirty-six other citizens of Taylor county, favoring re-election of Senator Allison.

Passed on file.

Senator Weidman presented petition of Wm. Webster and thirty-one others of Buffalo, Iowa, asking re-election of Senator Allison.

Passed on file.

Senator Seeds presented petition of R. M. Marion, J. B. Boggs and 133 others of Delaware county asking the re-election of Hon. W. B. Allison.

Passed on file.

Senator Gobble presented petition of Chas. Michenor Post, consisting of thirty-nine members at Atalissa, Iowa, asking that an appropriation be made to build a hospital in connection with the Soldiers' Home at Marshalltown, and opposing the appropriation for a soldiers' monument.

Referred to the Committee on Military.

Senator Reiniger presented petition of Walter Booth and twenty-six citizens of Chickasaw county, asking the re-election of Senator Allison.

Passed on file.

Senator Meservey presented petition of J. F. Keck and forty others of Cherokee county, asking election of W. B. Allison to the United States Senate.

Passed on file.

Senator Bills presented petition of Henry Miller, Jr., and thirty citizens of Dumont, Cedar county, asking an appropriation for a farmers' mutual benefit association.

Permission was granted to withdraw.

Senator Woolson presented petitions asking the re-election of Wm. B. Allison as United States Senator, as follows:

From D. K. Shaver, A. J. St. John and eighteen other citizens of Amish; from Wm. Cleland, J. Schillig and twenty-seven other citizens of Malcom and vicinity; from Rev. Dr. Geo. F. Magoun, Geo. A. Gates and twenty-two other citizens of Grinnell; from A. C. Armstrong, H. I. Dorris and sixty-one other citizens of Grinnell and vicinity; from Warren Little, S. A. Cravath and ninety-five other citizens of Grinnell and vicinity; from S. S. Daniels, of Mt. Pleasant, and other citizens; from Geo. Van Beek, C. J. Seymour and ninety-three other Republican electors of New London, Henry county; from Ezra A. Peck, E. W. Gilbert, Charles F. Craver and sixty-nine other citizens of Grinnell and vicinity.

Senator Funk presented petitions of J. R. Jones and fifty other

citizens of Algona; also, petition of W. S. Pelton and forty-eight others of Kossuth county, asking re-election of Senator Allison.

Passed on file.

Senator Parrott presented petition of Dr. E. A. Crouse and 116 other citizens of Grundy county, asking re-election of Senator Allison.

Passed on file.

Senator Vale presented petitions of S. E. Lindsay and A. Woodson and 110 others, citizens of Van Buren county; also petition of R. R. Baldwin and thirty other citizens of Clinton county, favoring re-election of Senator Allison.

Passed on file.

Senator McVay presented petition of J. A. Donaldson and thirty other citizens of Webster county, Iowa, asking for re-election of Senator Allison.

Passed on file.

The President presented petitions of A. C. Smith and four others of Clinton county; also, petition of John D. Sullivan and thirty-two others, asking for re-election of Senator Allison.

Passed on file.

INTRODUCTION OF BILLS.

By Senator Bolter, Senate file No. 201, a bill for an act to repeal chapter 6, title 11 of the Code, and all acts and parts of acts amendatory or supplementary thereto, and to regulate the sale of intoxicating liquors.

Read first and second times and referred to the Committee on Suppression of Intemperance.

By Senator Caldwell, Senate file No. 202, a bill for an act to repeal sub-division 5, section 3, chapter 134, laws of the Twenty-first General Assembly, and to enact a substitute therefor.

Read first and second times and referred to the Committee on Judiciary.

By Senator Barrett, Senate file No. 203, a bill for an act to amend section 6, chapter 12, laws of the Eighteenth General Assembly, relating to the management of the permanent school fund.

Read first and second times and referred to the Committee on Schools.

By Senator Lawrence, Senate file No. 204, a bill for an act amending and supplementary to chapter 56 of the acts of the Seventeenth General Assembly of the State of Iowa, requiring that officers in certain cities may receive fixed salaries, and prohibiting the collection of any

fees by such officers from counties for themselves, or for the use and benefits of such cities.

Read first and second times and referred to the Committee on Judiciary.

By Senator Lawrence, Senate file No. 205, a bill for an act amending and supplementary to chapter 134 of the acts of the Fourteenth General Assembly of the State of Iowa, regulating the fees of justices of the peace, and providing salaries for certain justices of the peace in lieu of fees.

Read first and second times and referred to the Committee on Judiciary.

By Senator Lawrence, Senate file No. 206, a bill for an act relating to parks in cities of the first-class, and to authorize the election of park commissioners therein, and to define their powers and duties.

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

By Senator Funk, Senate file No. 207, a bill for an act providing for funding indebtedness evidenced by warrants and the refunding of bonded indebtedness for incorporated towns, and for the levy of taxes for the payment thereof, and fixing a penalty for the diversion of such tax.

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

By Senator Clyde, Senate file No. 208, to amend sections six (6) and seven (7) of chapter one hundred and fifty-nine (159) of the laws of the Twentieth General Assembly of Iowa, in relation to taxes in aid of railroads,

Read first and second times and referred to the Committee on Railways.

By Senator Dungan, Senate file No. 209, a bill for an act to establish a Normal School at Humeston, Wayne county, Iowa.

Read first and second times and referred to the Committee on Educational Institutions.

By Senator Rich, Senate file No. 210, a bill for an act to legalize the acts of the council of the incorporated town of Arcadia, in Carroll county, Iowa.

Read first and second times and referred to the Committee on Judiciary.

By Senator Rich, Senate file No. 211, a bill for an act to legalize the levy of certain taxes for certain years in Carroll county, Iowa.

Read first and second times and referred to the Committee on Judiciary.

RESOLUTIONS.

Senator Parrott offered the following concurrent resolution:

Resolved by the Senate, the House concurring:

That at 12 o'clock, Meridian, of Wednesday, March 5, 1890, that being the day following the second Tuesday after the organization of this General Assembly, the members of the General Assembly will meet in joint convention in the Hall of the House, to compare journals of the two Houses, and to declare the result thereof with reference to the election of a United States Senator from the State of Iowa, for six years from the 4th day of March, 1891.

Adopted.

Senator Brower introduced the following resolution:

WHEREAS, It appears that owing to the general reduction of business before the district courts of the State, as appears by the reports of the judges of the same to the Governor, and whereas the incomes of all classes of our tax-payers are greatly reduced, and we should lighten the burdens thereof wherever we can, be it

Resolved, By the Senate that the Committee on Judiciary is hereby instructed to re-organize the court system of the State and report a bill reducing it one-third.

Passed over under the rule.

Mrs. Babcock appeared at the bar of the Senate and took the oath of office as paper-folder.

Senator Price moved to take up his resolution relative to Government purchase of patents.

Carried.

The question being on the adoption of the resolution,

On motion of Senator Price further consideration of the resolution was postponed until to-morrow.

On motion of Senator Reiniger the concurrent resolution relative to the legislation against the adulteration of lard was taken up.

The question being on the adoption of the resolution.

Senator Kegler moved to refer the resolution to the Committee on Federal Relations.

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bolter, Cleveland, Clyde, Groneweg, Hanchett, Kegler, Kent, Mattoon, Rich, Smith of Linn, Woolson—12.

The nays were:

Senators Bailey, Barnett, Barrett, Bills, Brower, Caldwell, Davidson, Dodge, Dungan, Finn, Funk, Gatch, Gobble, Lawrence, Mack, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Shields, Smith of Wright, Taylor, Vale, Weidman, Wolfe—29.

Absent or not voting:

Senators Ballingall, Cassett, Engle, Harsh, Kelly, McCoy, Mosnat, Schmidt, Stewart—9

. So the motion was lost.

The question was now on the adoption of the resolution.

Senator Meservey moved to postpone further consideration of this question until 2:15 o'clock this afternoon, and that it be made special order for the hour.

Carried.

REPORT OF COMMITTEE.

Senator Meservey from the Committee on Railroads submitted the following report.

To the Senate Twenty-third General Assembly:

MR. PRESIDENT—Your Committee on Railroads to whom was referred concurrent resolution introduced by Senator Price, February 21, 1890, beg leave to report 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.

On motion of Senator Meservey the report of the Committee was adopted.

Senator Smith of Linn moved to take up his concurrent resolution relative to the appointment of trustees of the Agricultural College.

Carried.

Senator Smith of Linn moved the adoption of the following as a substitute:

Resolved by the Senate, the House concurring:

That in the selection of Trustees of the State Agricultural College and Farm preferment should be given to practical and experienced farmers and mechanics, everything else being equal.

On motion of Senator Davidson the Senate adjourned until 2 o'clock
P. M.

AFTERNOON SESSION.

The Senate re-convened at 2 o'clock P. M.

Journal of Saturday was corrected and approved.

The Senate resumed consideration of the resolution relative to election of Trustees for the Agricultural College and Farm.

The question being on the adoption of the substitute offered by Senator Smith of Linn, to the resolution relative to the appointment of trustees to the Agricultural College and Farm.

Pending which, the hour having arrived for consideration of the special order, it being a resolution of Senator Reiniger relative to the adulteration of lard, it was taken up.

Senator Reiniger offered the following as a substitute:

WHEREAS, Gross and unprincipled adulteration of lard or a mode by the mixture of cotton seed oil and other inferior oils with pure lard, and

WHEREAS, Such a mixture is put up by the great syndicates of packers in the United States and sold as pure steamed refined lard to the consumers in this and foreign countries, which practice is seriously detrimental to Iowa farmers, and

WHEREAS, Such a practice is unjust and ruinous to the hog raisers of Iowa and the great west, therefore, be it

Resolved, by the Senate, the House concurring:

That our Senators and Representatives in Congress are earnestly requested and urged to introduce and vote for a law looking to the punishment of such fraudulent transactions, and compelling vendors of adulterated foods, and especially lard, to label it with the name representing its constituent elements and the quality of each ingredient used in forming the compound.

Adopted.

Senator Smith of Linn moved that the consideration of his substitute for the resolution relative to the appointment of Trustees of the Agricultural College and Farm be resumed.

Carried.

The question being on the adoption of the substitute, Senator Finn moved to amend by adding after the word "mechanic" "laborer or any other competent and honest person."

Senator Wolfe moved that the resolution and substitute be referred to the Committee on Educational Institutions.

On this the yeas and nays were demanded.

The yeas were:

Senators Bills, Cleveland, Clyde, Davidson, Dodge, Dungan, Finn, Gobble, Groneweg, Kegler, Mattoon, McVay, Reiniger, Shields, Vale, Wolfe, Woolson—17.

The nays were:

Senators Bailey, Barnett, Brower, Caldwell, Engle, Funk, Gatch, Hanchett, Kent, Lawrence, Mack, Meservey, Mills, Parrott, Perkins, Price, Rich, Seeds, Smith of Linn, Smith of Wright, Taylor, Weidman—22.

Absent or not voting:

Senators Ballingall, Barrett, Bayless, Bolter, Cassatt, Harsh, Kelly, McCoy, Mosnat, Schmidt, Stewart—11.

So the motion was lost.

Senator Harsh was excused from attendance upon the session of the Senate from March 1st until Tuesday morning, March 4th.

The question now being on the adoption of the amendment offered by Senator Finn, the yeas and nays were demanded,

The yeas were:

Senators Ballingall, Bills, Bolter, Cleveland, Clyde, Davidson, Dodge, Dungan, Finn, Gatch, Gobble, Groneweg, Kegler, Kent, Mack, Mattoon, McVay, Meservey, Mills, Parrott, Perkins, Reiniger, Rich, Seeds, Shields, Smith of Wright, Wolfe, Woolson—28.

The nays were:

Senators Barnett, Barrett, Brower, Engle, Funk, Hanchett, Lawrence, Price, Smith of Linn, Taylor, Vale, Weidman—12.

Absent or not voting:

Senators Bailey, Bayless, Caldwell, Cassatt, Harsh, Kelly, McCoy, Mosnat, Schmidt, Stewart—10.

So the amendment was carried.

The question now being on the adoption of the substitute as amended, Senator Barnett offered the following amendment:

Provided, further, that no lawyer shall be eligible.

On motion of Senator Vale the whole matter was laid on the table.

REPORTS OF COMMITTEES.

Senator Parrott, from the special committee on schedule of hours of meetings of standing committees, submitted the following report:

MR. PRESIDENT—Your special committee appointed to arrange a schedule of hours for the meeting of the various standing committees of the Senate beg leave to submit the following:

	MONDAY.			TUESDAY.			WEDNESDAY.			THURSDAY.			FRIDAY.			SATURDAY.		
	2	3	4	2	3	4	2	3	4	2	3	4	2	3	4	2	3	4
Ways and M...					W. & M.						W. & M.						W. & M.	
Judiciary					Jud.			Jud.			Jud.			Jud.			App.	
Appropriat'ns.		App.									App.							
Railways			R. R.						R. R.						R. R.			
Agriculture					Agr.					Agr.								Agr.
Insurance					Ins.					Ins.								
Labor	Labor						Labor									Labor		
Ed. Institut'ns		Ed. I.												Ed. I.				
Suppress. Int.	Sup. I						Sup. I						Sup. I					
Schools						Sch.						Sch.						Sch.
Cities and T.	C. & T.						C. & T.						C. & T.					
Public Health.		Pub. H						Pub. H									Pub. H	
Mines and M.			M. & M.						M. & M.									
Char. Inst.				C. Inst						C. In.								
Highways						High.									High.			
Comp. Pub. Off.				C. P. O													C. P. O.	
Const. Audits						Con. A												Con. A
Ret. and Ref.								R. & R.					R. & R.					
Elections				Elec.														
Banks							Banks.										Elec.	
Commerce								Com.									Banks.	
Fed. Relat'ns						Fed. R.						Fed. R						
Pen. & Pard'ns			P. & P.										P. & P.					
Claims		Claims												Claims				
Corporations										Corp.								
Printing		Prtg.						Prtg.									Prtg.	
Military					Mil.						Mil.							

The committee found it impossible to arrange the hours of meeting for the entire thirty-eight committees without conflicting too much with the membership, and have left Tuesday and Thursday at 3 o'clock and Friday at 4 o'clock with only two assignments each, so that only the chairman of the unassigned committees can arrange their meetings on those days or at such other times as the business in hand may warrant.

MATT PARBOTT.

Chairman.

Senator Gatch moved to postpone action on the report of the committee until to-morrow, and that it be made a special order for 10:30 o'clock A. M.

Carried.

On motion of Senator Mack the Senate adjourned until 10 o'clock A. M. to-morrow.

SENATE CHAMBER, }
DES MOINES, IOWA, Tuesday, March 4, 1890. }

Senate met in regular session at 10 o'clock A. M.

Lieutenant-Governor Poyneer in the chair.

Prayer by Rev. S. W. Pollock.

PETITIONS AND MEMORIALS.

Senator Mattoon presented resolutions of Sutherland Post No. 171, G. A. R., protesting against the appropriation of money to build a monument, and asking for a hospital at Marshalltown.

Passed on file.

Senator Meservey presented petitions of James Soesbe, Thomas M. Block, Edward Hood, Wm. Beardsley, J. Waddell, Thomas McLeod, D. O. Crum, S. E. Crouquest, S. K. Challman, Knud Jansen, George Metcalf and 219 other citizens of Ida and Cherokee counties, asking for the election of William Larrabee for United States Senator.

Passed on file.

Senator Clyde presented petition of Winnebago Alliance asking that property used in manufacturing Iowa farm products be exempt from taxation, for compulsory education and for other laws.

Referred to Committee on Ways and Means.

Senator Bailey presented petition of L. K. Larson and 37 others of Winneshiek county, asking relief from taxation of mortgaged property.

Referred to Committee on Ways and Means.

Senator Bailey presented petition of J. C. Tarvestad and 12 citizens of Decorah, Iowa, asking the election of Senator Allison.

Passed on file.

Senator Stewart presented memorial of John T. Drake Post No. 321, Brooklyn, Iowa, asking for an appropriation for a hospital at the Soldiers' Home at Marshalltown, and for no appropriation for a soldiers' monument at Des Moines.

Referred to Committee on Appropriations.

Senator Stewart presented memorial of Robt. F. Lowe Post No. 167,

Sigourney, Iowa, asking for an appropriation for a hospital at the Soldiers' Home at Marshalltown.

Referred to Committee on Appropriations.

Senator Davidson presented memorial of J. Fillmore Post No. 347, Madrid, Iowa, asking that no appropriation be made at the present for a soldiers' monument, and favoring the passage of the Dungan resolutions in relation to pensions.

Referred to Committee on Appropriations.

Senator Wolfe presented memorial of General N. B. Baker Post, of Clinton, Iowa, asking for hospital at Marshalltown in connection with the Soldiers' Home.

Referred to Committee on Appropriations.

Senator Funk presented petition of Wm. G. Henry and seventy-two citizens of Palo Alto county, asking the re-election of Wm. B. Allison.

Passed on file.

Senator Wolfe presented petition of James Peterson and fifty others of Clinton, asking the re-election of Wm. B. Allison.

Passed on file.

Senator Cleveland presented resolution of G. A. R. Post, Anita, Iowa, opposing erection of a soldiers' monument and favoring a hospital at Marshalltown.

Referred to Committee on Appropriations.

Senator Perkins presented petition of A. Rood and twenty-one other citizens of Fremont county, asking re-election of Senator Allison.

Passed on file.

Senator Kelly presented resolution of Oak Grange, Iowa county, favoring uniform system of school books throughout the State.

Referred to committee on Schools.

Senator Engle presented memorial of State Knights of Labor, favoring uniformity of school text-books.

Referred to Committee on Schools.

Senator Engle presented petition of John A. Willis and one hundred and three other citizens of Van Buren county, protesting against the election of Wm. B. Allison for U. S. Senator; also, protest from sub-Alliances No. 411, 889, 318 and 476; same subject.

Passed on file.

Senator Engle presented memorial of Sugar Grove Grange P. H., No. 688, favoring woman suffrage at school elections, favoring law providing for taxing mortgages and various other subjects.

Passed on file.

Senator Brower presented memorial of Winnebago Alliance, favoring one thousand dollars of exemption on homesteads; also, compulsory education, and a uniform system of text-books, and other laws.

Referred to Committee on Schools.

Senator Schmidt presented memorial of Green Tree Alliance, to repeal all laws that forbid the manufacture of products of corn, barley and rye.

Referred to Committee on Suppression of Intemperance.

Senator Mills presented petition of C. Ford and eighty others of Marshall county, asking the re-election of Senator Allison.

Passed on file.

Senator McCoy presented petition of James Gilden and 24 other citizens of What Cheer; also petition of J. G. Harrold and 12 others; also petition of J. E. Smith and 250 other citizens of What Cheer, asking for the re-election of Senator Allison.

Passed on file.

Senator Reiniger presented memorial of Winnebago Alliance No. 460, asking for the exemption from taxation of manufacturing plants, and on other subjects.

Referred to Committee on Ways and Means.

Senator Gatch presented petition of F. F. Blyler and 36 other citizens of Polk county; also petition of L. L. Osterland and 31 other citizens of Crawford county, asking re-election of Senator Allison.

Passed on file.

Senator Harsh presented memorial of Union Post G. A. R., Creston, Iowa, favoring an appropriation for a hospital in connection with the Soldiers' Home at Marshalltown, Iowa.

Referred to Committee on Military.

Senator Harsh presented petition of C. C. Powers and 11 others of Union county; also petition of C. W. Stanley and 35 citizens of Decatur county, all asking for the re-election of Senator Allison.

Passed on file.

Senator Bolter presented petition of B. Herring and 76 others of Monona county, asking the election of Wm. Larrabee to the United States Senate.

Passed on file.

The hour having arrived for consideration of the special order, it being the report of the special committee on arranging a schedule for the meeting of the standing committees, it was taken up, the question being on the adoption of the report, it was adopted.

Mrs. W. F. Vinson appeared at the bar of the Senate and took the oath of office as paper-folder.

Senator McVay moved that 300 extra copies of Senate file No. 32 be ordered printed.

PETITIONS AND MEMORIALS.

Senator Ballingall presented memorial of Cloutman Post No. 69, G. A. R., protesting against building a soldiers' monument, and favoring hospital at Soldiers' Home.

Referred to Committee on Military.

INTRODUCTION OF BILLS.

By Senator Mills, Senate file No. 212, a bill for an act to enable the Board of Supervisors of Marshall county, Iowa, to refund money collected as a fine in a liquor prosecution, and paid into the temporary school fund of said county.

Read first and second times and referred to the Committee on Claims.

By Senator Dodge, Senate file No. 213, a bill for an act to provide for the purchase of property for the purpose of holding old settlers' meetings, and to keep the same in repair.

Read first and second times and referred to the Committee on Judiciary.

Two hundred extra copies ordered printed.

By Senator Engle, Senate file No. 214, a bill for an act establishing Arbor Day as a holiday, and to set apart the first Friday after the first Tuesday of April of each year as Arbor Day, to be observed by the schools of Iowa.

Read first and second times and referred to the Committee on Horticulture and Forestry.

By Senator Parrott, Senate file No. 215, a bill for an act relating to the endowment and support of the State Normal School at Cedar Falls, and making appropriations therefor.

Read first and second times and referred to the Committee on Appropriations.

By Senator Smith of Wright, Senate file No. 216, a bill for an act to prevent champerty and maintenance in suits.

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 concurred in the following concurrent resolution of the Senate: Relative to election of United States Senator.

Also, relative to requesting our Senators and Representatives in Congress to vote for a law against the adulteration of food, with amendments. Add: "The Secretary of the Senate is instructed to send a copy of this resolution to our Senators and Representatives in Congress."

Also, concurrent resolution relative to joint committee to investigate trusts, with amendment; Strike out "next" immediately following the figures, "15th" in the second sheet of the resolution, and insert the figures, "1890," in place thereof.

H. S. WILCOX, *Chief Clerk*.

Senator Kent offered the following concurrent resolution:

A memorial and concurrent resolution instructing and requesting Iowa Senators and Representatives in Congress to ask for an appropriation to pay the claim of Captain Washington Galland for expenditures in raising, organizing and subsisting recruits for the army of the United States.

WHEREAS, It appears by duly authenticated vouchers, by proper record evidence and other proofs herewith submitted, that in the year 1861 Captain Washington Galland of Lee county, Iowa, by virtue of a commission from the Governor of Iowa and under other and proper authority, and for the good of the service, expended and disbursed from his own private funds and fortune, a sum aggregating fifteen hundred and forty-six dollars and twenty-one cents (\$1,546.21) in recruiting, enlisting, organizing and subsisting men for the protection of the State, and for the volunteer service of the armies of the United States in the war of the rebellion; and,

WHEREAS, Himself and the men so recruited, enlisted and sub-isted, were enrolled, mustered and served in the armies of the United States; and,

WHEREAS, It appears from satisfactory evidence that the said Captain Washington Galland has never received any reimbursement or payment for such expenditures either from the State of Iowa or from the general government; therefore,

Be it resolved by the Senate of the General Assembly of the State of Iowa, the House concurring, That we endorse and recommend to the general government that the said sum of fifteen hundred and forty-six dollars and twenty-one cents (\$1,546.21) expended as claimed aforesaid, with interest thereon from July 1, 1861, at five per centum per annum, to the date of the payment to him thereof, be allowed and paid; and that our Senators in Congress are hereby instructed, and our Representatives requested to introduce and support in the Congress of the United States, a bill or resolution making appropriations for the payment of this, the aforesaid equitable claim.

Resolved, further, That the Secretary of State is hereby authorized to furnish to each of our Representatives in Congress a copy of these resolutions.

The United States of America, Dr., to Washington Galland, late Capt. Co. H, 6th Regiment Iowa Inf. Vols.:

On account of expenses incurred, and expenditures made in recruiting, organizing and subsisting recruits for the army of the United States, in the volunteer service in Lee county, Iowa, in June and July, 1861:

For subsisting 86 men from June 7 to July 12, 1861, five weeks, at \$2.10 per week.....	\$ 903.00
For quarters and lodging for 86 men, 35 days, at 10 cents per day....	301.00
For 7 dozen hickory shirts, at \$9.50 per dozen	66.50
For 24 pair mens' brogan shoes, at \$1.50 per pair	36.00
For 10 pounds tobacco, at 30 cents per pound	3.00
For 1 bass drum.....	16.00
For 1 snare drum.....	12.00
For 1 pair lignum vitæ drum sticks	2.00
For 1 regulation company flag, cord and staff	17.00
For 1 lot tin plates, cups, canteens, knives and forks	24.71
For expenses paid to Des Moines and return, two trips, to see Governor on public service.....	50.00
For expenses in recruiting men, hire of wagon, team and driver.....	36.00
For amount paid Theo. Hand and son, musicians, on rec't service.....	50.00
Paid for posters and advertising for recruiting service.....	29.00
Total	\$ 1,546.21

STATE OF IOWA, } ss:
POLK COUNTY, }

I, Washington Galland, on oath certify that the expenditures charged in the above account, were actually incurred and paid, the prices charged were reasonable; that such expenditures the services and articles charged for, were necessary and for the good of the public service; that the foregoing amounts as charged, were fully paid by claimant out of his own private funds, and that he has never been reimbursed or repaid for any part thereof, neither by the State or general government, and that such recruiting and enlisting was done, and expenses incurred under the authority of a commission from the Governor of Iowa; and by direction of Col. J. G. Lauman, who claimed authority from the President or Secretary of War, to raise and organize a regiment for the United States' service. And in good faith, believing that the good and efficiency of the public service would be promoted thereby.

Subscribed in my presence and sworn to before me by Washington Galland, the above named claimant this day of 1890.

Read and referred to committee on Military.

Senator Gobble offered the following resolution:

WHEREAS, The result of the elections in the various cities and towns of Iowa, held yesterday, indicate that a large majority of the voters of such municipalities desire the enactment of a judicious license law by the Twenty-third General Assembly, therefore, be it

Resolved, That the Committee on Suppression of Intemperance, are requested to report to this body for its consideration at the earliest practicable moment a license

tax bill, which shall provide for the issuance of licenses for the sale of intoxicating liquors, under close restrictions, with an annual tax of \$500.00 to be paid into the county treasury and such further tax as the town, township, or municipality shall prescribe, the proceeds thereof to go to the use of such municipality.

Passed over until to-morrow.

Senator Brower moved to take up his resolution introduced yesterday, relative to reorganization of our court system.

Carried.

By consent, Senator Brower amended his resolution by adding the following: "or such other number as may be deemed advisable."

The question being on the adoption of the resolution it was adopted. Journal of yesterday was corrected and approved.

On motion of Senator Parrott the Senate adjourned until 2:30 o'clock P. M.

AFTERNOON SESSION.

Senate reconvened at 2:30 o'clock P. M.

HOUSE MESSAGES.

House message relative to the Senate resolution relative to adulteration of lard was taken up.

Senator Reiniger moved that the House resolutions be concurred in.

Carried.

On motion of Senator Woolson House message relative to the concurrent resolution relative to the investigation of trusts and combinations was taken up, and thereupon the amendment proposed by the House was concurred in by the Senate.

Senator Price called up his concurrent resolution relative to government purchase of patents.

Senator Price offered the following as a substitute:

WHEREAS, The Hon. John F. Lacy has introduced into the Congress of the United States a bill to terminate letters patent in certain cases.

Therefore, Resolved by the Senate, the House concurring: That we heartily approve of the purpose of said measure, and ask the enactment by Congress of a law to enable the United States to terminate letters patent to those inventions which are deemed to be of general public importance, on terms alike just and honorable to the patentee and the people.

The question being on the adoption of the substitute.

Senator Dodge offered the following amendment to the substitute:

And we further recommend that in terminating patents, the government shall pay nothing by special legislation to patentees, but, on the contrary, that the life of patents covering inventions of need and common use by the people be limited to a period of five or ten years, within the discretion of the commissioner of patents.

The question being on the adoption of the amendment to the substitute, the yeas and nays were demanded. Pending which the hour having arrived for the special order, balloting for the United States Senator for the term beginning March 4th, 1891.

Senator Gatch presented the name of Wm. B. Allison as his own successor.

Senator Bolter presented the name of Samuel L. Bestow of Lucas county.

Senator Engle presented the name of William Larrabee.

The roll was called with the following result:

Those voting for William B. Allison were:

Senators Bailev, Barrett, Brower, Caldwell, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Hanchett, Harsh, Lawrence, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Linn, Smith of Wright, Vale, Weidman, Woolson—28.

Those voting for S. L. Bestow were:

Senators Ballingall, Bayless, Bills, Bolter, Cassatt, Cleveland, Dodge, Gobble, Groneweg, Kegler, Kelly, Kent, Mattoon, Mosnat, Rich, Schmidt, Shields, Stewart, Taylor Wolfe—20.

Those voting for William Larrabee were:

Senators Barnett and Engle—2.

William B. Allison having received a majority of all the votes cast was declared duly elected United States Senator on the part of the Senate, for the term beginning March 4, 1891.

Senator Engle explained his vote as follows:

As an independent, wishing to represent the best interests of my constituents and the great State of Iowa, being in sympathy with the anti-monopoly principles of the Patrons of Husbandry, the Farmers' Alliance, Knights of Labor and in union with the heart throbs of the industrial masses of Iowa; wishing to carry out their expressed wishes as we understand them; believing that we owe a greater allegiance to principles than to caucus dictation, or partisan assumption, and as Hon. Wm. Allison offered and voted for an amendment to the silver bill, limiting its coinage of silver to two million dollars per month, as we believe the monetary commission of the United States that "contraction of the currency causes more misery, pauperism and crimes than war, famine and pestilence," we believe that the administration of Governor Wm. Larrabee has been for the best interests of the toiling masses of Iowa. We especially applaud his championship of the maximum freight bill, which saves to the people of Iowa millions of dollars, that otherwise would have gone to increase the already large dividends upon watered stock of pools and conspiracies. Therefore, I wish to record my vote for Wm. Larrabee.

PERRY ENGLE,

Senator of 29th Senatorial District.

On motion of Senator Bayless the Senate adjourned untill 10 o'clock A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, March 5, 1890. }

Senate met in regular session at 10 o'clock A. M., Lieutenant-Governor Poyneer in the chair.

Prayer by Rev. Willard H. Patterson.

On motion of Senator Price, 300 extra copies of Senate file No. 35 were ordered printed.

PETITIONS AND MEMORIALS.

Senator Parrott presented memorial of Robt. Anderson Post No. 68, G. A. R., of Waterloo, protesting against soldiers' monument, and asking for an appropriation for a hospital at the Soldiers' Home at Marshalltown.

Referred to Committee on Military.

Senator Smith of Wright presented memorial of Hartman Post No. 149 of Wright county, protesting against an appropriation for a soldiers' monument.

Referred to the Committee on Military.

Senator Barnett presented memorial of James Randolph Post No. 116, Indianola, protesting against an appropriation for a soldiers' monument.

Referred to Committee on Military.

Senator Hanchett presented memorial of Janesville Post No. 172, protesting against the appropriation for a soldiers' monument.

Referred to Committee on Military.

Senator Reiniger presented petition of W. S. Dodge Post No. 132, Nashua, Iowa, protesting against the appropriation for a soldiers' monument.

Referred to Committee on Military.

Senator Bailey presented petitions of Howard and other counties in Iowa to the number of 1,042, asking relief from double taxation of mortgages.

Leave was granted to withdraw the above petitions.

Senator McVay presented memorial of Allen Post, G. A. R., No. 113, opposing erection of soldiers' monument, and favoring the erection of a hospital at Soldiers' Home at Marshalltown.

Referred to Committee on Military.

INTRODUCTION OF BILLS.

By Senator Caldwell, by request, Senate file No. 217, a bill for an act to provide for an emergency fund for the protection of the public health.

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

By Senator Bayless, Senate file No. 218, a bill for an act amendatory of chapter 71 of the acts of the Twenty-second General Assembly, to regulate the sale of intoxicating liquors for necessary purposes, and to repeal sections 4, 5, 6, 7, 11, 12, 13, 14, 16, 17 and 19 thereof, and enact substitutes therefor.

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

Three hundred extra copies ordered printed.

By Senator Schmidt, Senate file No. 219, a bill for an act to appropriate funds to secure the extension of the water works system of the Davenport Water Company to the Soldiers' Orphans' Home and Home for Indigent Children at Davenport, Iowa, and to secure for said Home a sufficient supply of water for the use thereof.

Read first and second times and referred to the Committee on Appropriations.

By Senator Hanchett, Senate file No. 220, a bill for an act to amend section No. seventeen hundred eighty-one (1781), Code of 1888.

Read first and second times and referred to the Committee on Judiciary.

By Senator Gobble, Senate file No. 221, a bill for an act relating to the State Industrial Schools, and for the reception, disposition and support of the inmates thereof.

Read first and second times, and referred to the Committee on Charitable Institutions.

By Senator Barnett, by request, Senate file No. 222, a bill for an act to amend chapter one hundred and two (102) of the acts of the Twenty-second General Assembly.

Read first and second times, and referred to the Committee on Agriculture.

By Senator Stewart, Senate file No. 223, a bill for an act to provide for filling vacancy in the office of county recorder.

Read first and second times and referred to the Committee on Judiciary.

Senator Kelly introduced the following resolution:

WHEREAS, The people of the State of Iowa consumed, during the year 1889, about eighty million pounds of sugar at a cost of not less than six million four hundred thousand dollars; and

WHEREAS, A large portion of this vast sum of money was collected by the government of the United States by reason of a tariff law; and

WHEREAS, It is well known that the sugar market is manipulated and controlled by the most heartless trust ever organized in this country; therefore

Resolved, By this Senate, that our Senators and Representatives in Congress are requested to use every effort to secure the passage of a law placing sugar on the free list.

The Secretary of State is hereby requested to send a copy of this resolution to each of our Senators and Representatives in Congress.

Referred to Committee on Federal Relations.

Senator Gobble offered the following resolution:

Resolved, That the files for the daily journal be furnished the reporters, and that the file clerk be instructed to place the daily journal upon their desks.

Adopted.

REPORTS OF COMMITTEES.

Senator Bayless, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 71, a bill for an act to regulate the charges for transporting State troops, stores, materials, camp equipages, horses and arms upon the 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 with the recommendation that the same be referred to the Committee on Railroads, upon the ground that it properly belongs to that committee.

F. D. BAYLESS, *Chairman*.

Senator Bayless moved that the report be adopted.

Carried.

Senator Bayless, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military to whom was referred Senate file No. 28, a bill for an act to amend section 2, chapter 173, 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 the same be indefinitely postponed on the ground that the general government furnishes head stones to the class of persons referred to in the bill, free of charge, upon application made in accordance with the statutes of the general government.

F. D. BAYLESS, *Chairman*.

Ordered passed on file.

Senator Bayless, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military to whom was referred Senate file No. 109, 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 the same be indefinitely postponed.

F. D. BAYLESS, *Chairman*.

Ordered passed on file.

Senator Smith, 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. 172, a bill for an act to extend the limits of cities and for other purposes incident 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 amended by substituting for section four (4) the following:

"SEC. 4. That, for the purpose of reorganizing the wards of said cities, the boundaries of which are extended by this act, the governor shall appoint six persons in each of such cities, and residents thereof respectively, three from each of the two principal political parties, who are hereby constituted commissioners, for the purpose of re-districting such cities respectively into wards; said commissioners shall meet as a board, within six days from the taxing effect of this act, having given at least three days' notice in one or more of the daily newspapers published in said city or cities, of the time and place of their meeting, and shall hear the arguments and suggestions of all who may desire to appear before them, as to the proper boundaries of the new wards, and after hearing such arguments, to such an extent as such commissioners may determine, they shall lay off the said city or cities, whose boundaries are hereby extended, into the same number of wards, as the city or cities may now have, with such boundaries as they shall prescribe; but said wards shall be laid off in a rectangular form as nearly as practicable, and making, so far as practicable, boundaries conform to the center of streets and with straight lines, and so as to give each ward, as nearly as practicable, an equal population; said commissioners shall file and have recorded, the original order defining the boundaries of said wards, with the clerk of the district court of the county wherein the city is situate, and a copy or duplicate thereof, with the clerk of the city council, which he shall record,"

And when so amended that the same do pass.

J. H. SMITH, *Chairman*.

On motion of Senator Smith of Linn, Senate File No. 172, a bill for an act to extend the limits of cities and for other purposes incident thereto, with report of committee recommending amendments and when so amended, do pass, was taken up and considered.

On motion of Senator Dodge, the following amendment was adopted:

Add to section 6, "Provided that nothing in this act shall be construed to affect pending litigation concerning the acts of the council of North Des Moines in regard to street pavement, or any other litigation in existence at the time of the passage of this act."

Senator Gatch moved that the rule be suspended, and the bill be considered ~~en~~grossed, and 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 Bailey, Ballingall, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Woolson—48.

Absent or not voting:

Senators Barnett, Wolfe—2.

To the bill passed and the title was agreed to.

Senator Mills offered the following concurrent resolution, and asked unanimous consent for its immediate consideration, which was granted:

Resolved, By the Senate the House concurring:

That the members of the Twenty-third General Assembly meet in joint convention in the Assembly Hall of the House, at 10 o'clock A. M., Thursday, March 6, 1890, for the purpose of electing a Warden for the Penitentiary at Fort Madison, Warden for the Penitentiary at Anamosa, State Binder and State Printer.

Adopted.

Senator Bailey, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred joint resolution No. 2, relative to removing some of the burdens of agriculture, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the joint resolution be amended by striking out all after the word "twine," in the tenth line of the first paragraph, down to and including the words "raw material," in the thirteenth line, and that as amended the joint resolution do pass.

A. K. BAILEY, *Chairman*.

Ordered passed on file.

Senator Bailey, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred joint resolution No. 3, relative to the construction of a canal from the Mississippi river to the Illinois River at Hennepin, in the State of Illinois, beg leave to report 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 joint resolution do pass.

A. K. BAILEY, *Chairman*.

Ordered passed on file.

Senator Bailey, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred joint resolution No. 4, 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 the joint resolution do pass.

A. K. BAILEY, *Chairman*.

Ordered passed on file.

On motion of Senator Dungan, joint resolution No. 4, in relation to arrears of pension, with report committee recommending that it do pass, was taken up and considered.

Senator Dungan moved that the rule be suspended and the joint resolution be considered engrossed, and read a third time now, which motion prevailed and the joint resolution was read a third time.

On the question, shall the joint resolution pass?

The yeas were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Schmidt Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman—45.

The nays were none.

Absent or not voting:

Senators Cassatt, Finn, Rich, Wolfe, Woolson—5.

So the joint resolution passed and the title was agreed to.

Senator Bailey, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations to whom was referred joint resolution No. 5, relative to removing a fraud in the adulteration 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 same having been made the subject-matter of a concurrent resolution, the further consideration of the same be indefinitely postponed.

A. K. BAILEY, *Chairman*.

Ordered passed on file.

On motion of Senator Schmidt Joint Resolution No. 3, relative to construction of a canal from the Mississippi river to the Illinois river, at Hennepin, in the State of Illinois, with report of committee that it do pass, was taken up and considered.

Carried.

Senator Schmidt moved that the rule be suspended and the Joint Resolution be considered engrossed and read a third time now, which motion prevailed, and the joint resolution was read a third time.

On the question, shall the joint resolution pass?

The yeas were:

Senators Bailey, Ballingall, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman—45.

The nays were none.

Absent or not voting:

Senators Barnett, Cassatt, Mattoon, Wolfe, Woolson—5.

So the joint resolution passed and the title was agreed to.

On motion of Senator Taylor, Joint Resolution No. 2, relative to removing some of the burdens from agriculture, with report of committee recommending amendments, and when so amended, that it do pass, was taken up and considered, and the amendment recommended by the committee was adopted.

Senator Finn moved to refer the resolution to the Committee on Agriculture.

Pending which, a committee from the House appeared and informed the Senate that the House was ready to receive the Senate in joint convention for the purpose of comparing the journals relative to the election of United States Senator.

The Senate repaired to the Hall of the House of Representatives for the joint convention.

JOINT ASSEMBLY.

The joint assembly was called to order at 12 o'clock m., by Lieut.-Gov. A. N. Poyneer, who announced that the joint assembly had met in accordance with a concurrent resolution passed by both houses, and for the purpose of comparing the journals of the respective bodies in the vote for United States Senator.

The roll was called with the following result:

Those present were:

Messrs. Addie, Arnold, Austin, Bailey, Ball, Ballingall, Barnett, Barrett, Beem, Bills, Blythe, Bolter, Briggs, Brower, Brown, Byers, Caldwell, Cassatt, Chamberlin, Chantry, Chase, Clarke, Cleveland, Clyde, Coyle, Cutting, Davidson, Davie, Dayton, Dent, Dobson, Dodge, Dolph, Dungan, Eckles, Eilers, Ellis, Engle, Estes, Ewart, Felkner, Field, Finn, Funk, Gardiner of Clinton, Gardner of Washington, Gatch, Gates, Gilbert, Gitchell, Glattly, Gobble, Graeser, Groneweg, Hamilton, Hanchett, Harsh, Head, Hendershot, Hipwell, Hobbs, Holbrook, Holiday, Hornish, Horton, Hoppers, Hotchkiss, Jewell of Mahaska, Jewell of Winneshiek, Jewett, Johnston of Bremer, Johnston of Dubuque, Kegler, Kelly, Kent, Knoll, Kyte, Lane, Law, Lawrence, Letovsky, Lewis, Luke, Lund, Mack of Buena Vista, Mack of Madison, Marti, Mattoon, McCarthy, McCoy, McDermid, McFarland, McGavren, McVay, Mercer, Meservey, Mills, Mitchell, Monk, Morison, Morrow, Mosnat, Nemmers, Oakman, Parrott, Paschal, Perkins, Potter, Powers, Price, Reiniger, Rich, Richman, Roe, Roundy, Russell, Schmidt, Seeds, Shields, Shipley, Smith of Boone, Smith of Des Moines, Smith of Linn, Smith of Mitchell, Smith of Sac, Smith of Wapello, Smith of Wright, Soesbe, Steele, Stewart of Polk, Stewart of Poweshiek, Tade, Taylor, Thornburg, Townsend, Vale, Van Gilder, Walden, Walker, Ware, Weidman, Wilson, Woolson, Wyman, Yergey, Young—146.

Absent:

Messrs. Bayless, Hart, Wolfe and Woods—4.

The President then ordered that the two journals of the two houses, relative to the vote for United States Senator be read.

The Secretary of the Senate read that part of the journal of the Senate for Tuesday, March 4, 1890, that referred to the vote for United States Senator.

The Clerk of the House read that part of the House journal for Tuesday, March 4, 1890, that referred to the vote for United States Senator.

From the reading of the two journals of the two houses, it appears that on Tuesday, March 4, 1890, the Senate and House of Representatives balloted separately, *viva voce*, for United States Senator, with the following result:

IN THE SENATE.

Wm. B. Allison received.....	28 votes.
S. L. Bestow received.....	20 votes.
Wm. Larrabee received.....	2 votes.

IN THE HOUSE.

Wm. B. Allison received 51 votes.
 S. L. Bestow received 43 votes.
 Wm. Larrabee received 6 votes.

Thereupon the President made the following announcement:

"I therefore declare that Wm. B. Allison received a majority of all the votes cast in the Senate and House of Representatives, each voting separately for United States Senator, and that Wm. B. Allison was duly elected by the Twenty-third General Assembly of the State of Iowa, United State Senator from the State of Iowa, for the term of six years commencing on the 4th day of March, 1891,"

CERTIFICATE OF ELECTION.

The following certificate of election was signed in the presence of the joint assembly being read aloud:

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 5th day of March, 1890, at noon, a majority of all the members of each House being present it was found upon examination of the journals of the respective Houses, that upon the day before, the same being the second Tuesday after the meeting and organization of the General Assembly, each House had by an open *viva voce* vote of the members present named William B. Allison of Dubuque county, for Senator in Congress, for the State of Iowa, for the term commencing the 4th of March, 1891.

Whereupon, said joint assembly formally declared said William B. Allison of Dubuque county, duly elected Senator to represent the State of Iowa in Congress of the United States, for the term of six years, beginning on the 4th day of March, 1891.

A. N. POYNEER,

President of the Senate and Joint Assembly.

J. T. HAMILTON,

Speaker of the House of Representatives.

HENRY S. WILCOX,

Clerk of the House of Representatives and Joint Assembly.

W. R. COCHRANE,

Secretary of the Senate.

The minutes of the joint assembly were read and approved.

On motion of Representative Estes, the joint assembly dissolved.

The Senate reassembled after the joint convention.

On motion of Senator Caldwell the Senate adjourned until 10

A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, March 6, 1890. }

Senate met in regular session at 10 o'clock A. M.

Lieutenant-Governor Poyneer in the chair.

Prayer by Rev. B. O. Aylesworth.

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 resolutions of the Senate: Relative to requesting members of Congress to work for the enactment of laws in favor of an automatic car coupler.

Also, relative to joint convention to elect Wardens of the Penitentiaries and State Binder and Printer.

Also, that the House has passed the following concurrent resolution, in which the concurrence of the Senate is asked: Relative to printing 5,000 copies of the rules of the Twenty-third General Assembly.

H. S. WILCOX, *Chief Clerk.*

PETITIONS AND MEMORIALS.

Senator Price presented memorial of J. P. Jones G. A. R. post, Earlham, Iowa, protesting against soldiers' monument and favoring the hospital at Soldiers' Home at Marshalltown.

Referred to Committee on Military.

Senator Reiniger presented memorial of Marble Rock Post No. 308, G. A. R., protesting against soldiers' monument and favoring the hospital at Soldiers' Home at Marshalltown.

Referred to Committee on Appropriations.

Senator Kelly presented memorial of W. B. Bricker Post No. 145, G. A. R., Ladora, Iowa, protesting against soldiers' monument and praying for hospital at Marshalltown.

Referred to Committee on Appropriations.

Senator Caldwell presented petition of C. H. Beaver and 100 other citizens of Dexter, Dallas county, against the repeal or modification of the law in relation to the sale of intoxicating liquors.

Referred to Committee on Suppression of Intemperance.

Senator Mattoon presented memorial of Abernethy Post No. 48, G. A. R., against appropriation for soldiers' monument.

Referred to Committee on Appropriations.

Senator Cassatt presented memorial of Monroe County Temperance Convention protesting against any modification of the prohibition laws.

Referred to Committee on Suppression of Intemperance.

Senator Finn presented petition of sub-district No. 8, of Platt township, Taylor county, favoring State uniformity of school text-books.

Referred to Committee on Schools.

A committee from the House appeared and informed the Senate that the House was ready to receive the Senate in joint convention for the purpose of electing Wardens of the Penitentiaries, State Printer and State Binder.

The hour having arrived for the joint assembly, as provided in concurrent resolution for the election of officers for various State institutions, the President named Senator Funk as teller on part of the Senate and the President, accompanied by the Senate, repaired in a body to the Hall of the House for the joint assembly.

JOINT ASSEMBLY.

Lieutenant-Governor, A. N. Poyneer, President of the Senate, took the chair as President of the Convention.

The roll was called with the following result:

Those present were:

Messrs. Addie, Arnold, Austin, Bailey, Ball, Ballingall, Barnett, Barrett, Bayless, Beem, Bills, Blythe, Bolter, Briggs, Brower, Brown, Byers, Cassett, Chamberlin, Chantry, Chase, Clarke, Cleveland, Clyde, Coyle, Cutting, Davidson, Davie, Dayton, Dent, Dobson, Dodge, Dolph, Dungan, Eckles, Eilers, Ellis, Engle, Estes, Ewart, Felkner, Field, Finn, Funk, Gardiner of Clinton, Gardner of Washington, Gatch, Gates, Gilbert, Gitchell, Glattly, Gobble, Graeser, Groneweg, Hamilton, Hanchett, Harsh, Hart, Head, Hendershot, Hipwell, Hobbs, Holbrook, Holiday, Hornish, Horton, Hospers, Hotchkiss, Jewell of Mahaska, Jewell of Winneshiek, Jewett, Johnston of Bremer, Johnson of Dubuque, Kegler, Kelly, Kent, Knoll, Kyte, Lane, Law, Lawrence, Letovsky, Lewis, Luke, Lund, Mack of Buena Vista, Mack of Madison, Marti, Mattoon, McCarthy, McCoy, McDermid, McFarland, McGavren, McVey, Mercer, Meservey, Mills, Mitchell, Monk, Morison, Morrow, Mosnat, Nemmers, Oakman, Parrott, Paschal, Perkins, Potter, Powers, Price, Reiniger, Rich, Richman, Roe, Roundy,

Russell, Schmidt, Seeds, Shields, Shipley, Smith of Boone, Smith of Des Moines, Smith of Linn, Smith of Mitchell, Smith of Sac, Smith of Wapello, Smith of Wright, Soesbe, Steele, Stewart of Polk, Stewart of Poweshiek, Tade, Taylor; Thornburg, Townsend, Vale, Van Gilder, Walden, Walker, Ware, Weidman, Wilson, Woods, Woolson, Wyman, Yergey, Young—148.

Absent, Senators Caldwell and Wolfe—2.

The President announced as Teller on behalf of the Senate, Senator Funk. The Speaker announced as Teller on behalf of the House, Representative Mitchell.

Senator Perkins offered the following:

Resolved, That this Joint Convention proceed to election by call of roll in the following order, to-wit: Warden of Ft. Madison Penitentiary, Warden of Anamosa Penitentiary, State Printer and State Binder.

Adopted.

The convention then proceeded to the election of a Warden for the Penitentiary at Fort Madison.

Senator McVay proposed the name of E. C. McMillan, of Marshall county, for Warden.

Representative Johnston, of Bremer, proposed the name of J. L. McLuen, of Guthrie county.

The roll was called with the following result:

Those voting for Mr. McLuen, were:

Messrs. Addie, Arnold, Ballingall, Barnett, Bayless, Beem, Bills, Bolter, Briggs, Cassatt, Chamberlin, Clarke, Cleveland, Davie, Dayton, Dent, Dodge, Eilers, Ellis, Engle, Estes, Ewart, Felkner, Gardiner, of Clinton, Gates, Gilbert, Gitchell, Glattly, Gobble, Graeser, Groneweg, Hamilton, Hanchett, Hart, Hipwell, Holbrook, Hornish, Horton, Hotchkiss, Jewell of Winneshiek, Johnston of Bremer, Johnston of Dubuque, Kegler, Kelly, Kent, Knoll, Letovsky, Lund, Marti, Mattoon, McDermid, McGavren, Mitchell, Monk, Morison, Mosnat, Nemmers, Potter, Rich, Richman, Roe, Roundy, Russell, Schmidt, Shields, Smith, of Boone, Smith, of Des Moines, Smith, of Wapello, Stewart, of Poweshiek, Taylor, Ware, Woods—72.

Those voting for Mr. McMillan, were:

Messrs. Austin, Bailey, Ball, Barrett, Blythe, Brower, Brown, Byers, Chantry, Chase, Clyde, Coyle, Cutting, Davidson, Dobson, Dolph, Dungan, Eckles, Field, Finn, Funk, Gardner, of Washington, Gatch, Harsh, Head, Hendershot, Hobbs, Holiday, Hospers, Jewell, of Mahaska, Jewett, Kyte, Lane, Law, Lawrence, Lewis, Luke, Mack, of Buena Vista, Mack, of Madison, McCarthy, McCoy, McFarland, McVay, Mercer, Meservey, Mills, Morrow, Oakman, Parrott, Paschal,

Perkins, Powers, Price, Reiniger, Seeds, Shipley, Smith of Linn, Smith of Mitchell, Smith of Sac, Smith of Wright, Soesbe, Steele, Stewart of Polk, Tade, Thornburg, Townsend, Vale, Van Gilder, Walden, Walker, Weidman, Wilson, Woolson, Wyman, Yergey, Young—76.

Absent or not voting: Messrs. Wolf and Caldwell.

Mr. E. C. McMillan having received a majority of the votes cast, was declared by the president elected Warden of the penitentiary at Fort Madison for the ensuing term.

Convention then proceeded to the election of Warden for the penitentiary at Anamosa.

Senator Parrott then presented the name of Maquis Barr, of Mahaska county.

Senator Dodge presented the name of J. T. Meek, of Warren county.

The roll was called with the following result:

Those voting for Mr. Meek were:

Messrs. Addie, Arnold, Ballingall, Barnett, Bayless, Beem, Bills, Bolter, Briggs, Cassatt, Chamberlin, Clarke, Cleveland, Davie, Dayton, Dent, Dodge, Eilers, Ellis, Engle, Estes, Ewart, Felkner, Gardiner of Clinton, Gates, Gilbert, Gitchell, Glattly, Gobble, Graeser, Groneweg, Hamilton, Hart, Hipwell, Holbrook, Hornish, Horton, Hotchkiss, Jewell of Winneshiek, Johnston of Bremer, Johnston of Dubuque, Kessler, Kelly, Kent, Knoll, Letovsky, Lund, Marti, Mattoon, McDermid, McGavren, Mitchell, Monk, Morison, Mosnat, Nemmers, Potter, Rich, Richman, Roe, Roundy, Russell, Schmidt, Shields, Smith of Boone, Smith of Des Moines, Smith of Wapello, Stewart of Poweshiek, Taylor, Ware, Woods—71.

Those voting for Mr. Barr were:

Messrs. Austin, Bailey, Ball, Barrett, Blythe, Brower, Brown, Byers, Chantry, Chase, Clyde, Coyle, Cutting, Davidson, Dobson, Dolph, Dungan, Eckles, Field, Finn, Funk, Gardner of Washington, Gatch, Hanchett, Harsh, Head, Hendershott, Hobbs, Holiday, Hospers, Jewell of Mahaska, Jewett, Kyte, Lane, Law, Lawrence, Lewis, Lund, Mack of Buena Vista, Mack of Madison, McCarthy, McCoy, McFarland, McVay, Mercer, Meservey, Mills, Morrow, Oakman, Parrott, Paschal, Perkins, Powers, Price, Reiniger, Seeds, Shipley, Smith of Linn, Smith of Mitchell, Smith of Sac, Smith of Wright, Soesbe, Steele, Stewart of Polk, Tade, Thornburg, Townsend, Vale, Van Gilder, Walden, Walker, Weidman, Wilson, Woolson, Wyman, Yergey, Young—77.

Absent or not voting: Messrs. Caldwell and Wolfe.

Mr. Barr having received a majority of all the votes cast he was by the President declared elected Warden of the Penitentiary at Anamosa for the ensuing term.

The convention then proceeded to the election of State Printer.

Senator Meservey presented the name of Geo. H. Ragsdale of Plymouth county.

Senator Bolter presented the name of D. M. Harris of Harrison county.

The roll was called with the following result:

Those voting for D. M. Harris were:

Messrs. Addie, Arnold, Ballingall, Barrett, Beem, Bills, Bolter, Briggs, Cassatt, Chamberlin, Clarke, Cleveland, Davie, Dayton, Dent, Dodge, Eilers, Ellis, Engle, Estes, Ewart, Felkner, Gardiner of Clinton, Gates, Gilbert, Gitchell, Glatly, Gobble, Graeser, Groneweg, Hamilton, Hart, Hipwell, Holbrook, Hornish, Horton, Hotchkiss, Jewell of Winnesheik, Johnston of Bremer, Johnston of Dubuque, Kegler, Kelly, Kent, Knoll, Letovsky, Lund, Marti, McDermid, McGavren, Mitchell, Monk, Morison, Mosnat, Nemmers, Potter, Rich, Richman, Roe, Roundy, Russell, Schmidt, Shields, Smith of Boone, Smith of Des Moines, Smith of Wapello, Stewart of Powesheik, Taylor, Ware, Woods—69.

Those voting for Geo. H. Ragsdale were:

Messrs. Austin, Bailey, Ball, Barrett, Blythe, Brower, Brown, Byers, Chantry, Chase, Clyde, Coyle, Cutting, Davidson, Dobson, Dolph, Dungan, Eckles, Field, Finn, Funk, Gardner of Washington, Gatch, Hanchett, Harsh, Head, Hendershot, Hobbs; Holiday, Hospers, Jewell of Mahaska, Jewett, Kyte, Lane, Law, Lawrence, Lewis, Luke, Mack of Buena Vista, Mack of Madison, McCarthy, McCoy, McFarland, McVay, Mercer, Meservey, Mills, Morrow, Oakman, Parrott, Paschal, Perkins, Powers, Price, Reiniger, Seeds, Shipley, Smith of Linn, Smith of Mitchell, Smith of Sac, Soesbe, Steele, Stewart of Polk, Tade, Thornburg, Townsend, Vale, Van Gilder, Walden, Walker, Weidman, Wilson, Woolson, Wyman, Yergey, Young.—76.

Absent or not voting: Messrs. Bayless, Caldwell, Mattoon, Smith of Wright, Wolfe.—5.

Mr. Ragsdale having received a majority of all the votes cast, the President declared him elected to the office of State Printer for the ensuing term.

The convention then proceeded to the election of a State Binder.

Senator Weidman presented the name of Otto Nelson of Polk county.

Senator Gobble presented the name of Gus Schmidt of Muscatine county.

The roll was called with the following result:

Those voting for Gus Schmidt were Messrs:

. Addie, Arnold, Ballingall, Barrett, Beem, Bills, Briggs, Cassatt, Chamberlain, Clarke, Cleveland, Davie Dayton, Dent, Dodge, Eilers, Ellis, Engle, Estes, Ewart, Felkner, Gardiner of Clinton, Gates, Gilbert, Gitchell, Gobble, Graeser, Groneweg, Hamilton, Hart, Hipwell, Holiday, Hornish, Horton, Hotchkiss, Jewell of Winneshiek, Johnston of Bremer, Johnston of Dubuque, Kegler, Kelly, Kent, Knoll, Letovsky, Lund, Marti, Mattoon, McDermid, McGavren, Mitchell, Monk, Morison, Mosnat, Nemmers, Potter, Rich, Richman, Roundy, Russell, Schmidt, Shields, Smith of Boone, Smith of Des Moines, Smith of Wapello, Stewart of Poweshiek, Taylor, Ware, Woods—66.

Those voting for Otto Nelson were:

Messrs. Austin, Bailey, Ball, Barrett, Blythe, Brower, Brown, Byers, Chantry, Chase, Clyde, Coyle, Cutting, Davidson, Dobson, Dolph, Dungan, Eckles, Field, Finn, Funk, Gardner of Washington, Gatch, Hanchett, Harsh, Head, Hendershot, Hobbs, Holiday, Hospers, Jewell of Mahaska, Jewett, Kyte, Lane, Law, Lawrence, Lewis, Luke, Mack of Buena Vista, Mack of Madison, McCarthy, McCoy, McFarland, McVay, Mercer, Meservey, Mills, Morrow, Oakman, Parrott, Paschal, Perkins, Powers, Price, Reiniger, Seeds, Shipley, Smith of Linn, Smith of Mitchell, Smith of Sac, Smith of Wright, Soesbe, Steele, Stewart of Polk, Tade, Thornburg, Townsend, Vale, Van Gilder, Walden, Walker, Weidman, Wilson, Woolson, Yergey and Young—76.

Absent or not voting: Messers. Barnett, Bayless, Bolter, Caldwell, Glattly, Roe, Wolf and Wyman—8.

Mr. Nelson having received a majority of all the votes cast, was by the President declared elected to the office of State Binder for the ensuing term.

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

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, March 6, 1890. }

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 sixth day of March, A. D. 1890, for the purpose of electing Warden of the Penitentiary at Fort Madison, Iowa, E. C. McMillan, having received a majority of all 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 sixth day of March, A. D. 1890.

A. N. POYNEER,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives.

ATTEST.

A. B. FUNK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, {
 DES MOINES, IOWA, March 6, 1890. }

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 6th day of March, A. D., 1890, 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 6th day of March, A. D., 1890.

A. N. POYNEER,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives.

ATTEST;

A. B. FUNK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 6, 1890. }

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 6th day of March, A. D. 1890, for the purpose of electing a State Printer, George H. 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 6th day of March, A. D. 1890.

A. N. POYNEER,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives.

ATTEST:

A. B. FUNK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Thursday, March 6, 1890. }

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 6th day of March, A. D. 1890, 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 6th day of March, A. D. 1890.

A. N. POYNEER,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives.

ATTEST:

A. B. FUNK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives.

The Senate reconvened after the joint assembly.

Senator McCoy, from the Committee on Rules, submitted the following report:

MR. PRESIDENT—Your Committee on Rules, to whom was referred resolution offered by Senator Meservy, relating to reprinting of bills introduced in the Senate where the printed copies have been exhausted, beg leave to report 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 therefor be adopted:

Resolved, That the Committee on Printing is hereby authorized and directed to have reprinted from time to time, and as the necessity therefor may exist in the judgment of said committee, any bills and resolutions presented to the Senate for its action thereon.

BEN MCCOY, *Chairman*.

Ordered passed on file.

Senator McCoy, from the Committee on Rules, submitted the following report:

MR. PRESIDENT—Your Committee on Rules having, at the written request of the Secretary of the Senate, examined into the application of Senate rule 28 relating to detail by said secretary of committee clerks to assist in duties connected with the daily journal, would respectfully report that they find it extremely inconvenient and at times impracticable for said secretary to make such detail and convey to the clerk so detailed timely notice thereof, as the rule and the practice thereunder now exists. There is no rule requiring the committee clerks to report to the secretary, and he is therefore required to hunt up such clerks and notify them of the special detail he has made. If the clerks were compelled to report on specific days to the secretary for duty, he could, without unnecessary delay or trouble, give this notification, and with the pressure upon his time and attention that will be made constantly during the session, the secretary ought, in the judgment of your committee, to be relieved as far as practicable from other labors. Your committee find that the demands of some of the standing committees upon the time of their clerks are so continuous as that it is impracticable for such clerks to be thus detailed by the secretary for journal duty. We therefore recommend that the clerks of the following named standing committees be relieved from such detail, viz: Ways and Means, Judiciary, Appropriations, Suppression of Intemperance, Railways, Agriculture, Schools, Engrossed Bills and Enrolled Bills, and that the clerks of the other standing committees be declared and made subject to such detail under Senate rule 28; and with regard to clerks thus made subject to detail, we further recommend the adoption of the following resolution:

Resolved, That all committee clerks subject to detail under Senate rule 28, are hereby required to report for duty to the Secretary of the Senate at or before 9 A. M. upon Mondays and Thursdays of each week, and said secretary is hereby instructed and required to certify for payment such committee clerks only, of those subject to detail, as shall report to him on said dates, unless good excuse is shown for such failure to report.

Respectfully submitted,

BEN MCCOY, *Chairman*.

Ordered passed on file.

On motion of Senator Meservey, the Senate adjourned.

SENATE CHAMBER,
DES MOINES IOWA, Friday, March 7, 1890. }

Senate met in regular session at 10 o'clock A. M.

Lieutenant Governor Poyneer in the chair.

Prayer by Rev. W. A. Black.

The journals of March 4th and 5th were corrected and approved.

On motion of Senator Mack Senator McCoy was excused indefinitely.

PETITIONS AND MEMORIALS.

Senator Reiniger presented petition of local assembly No. 1120, Knights of Labor, Rudd, Iowa, favoring free text books, also an appropriation for the Bureau of Labor Statistics of the State and asking that foreign insurance companies be compelled to deposit securities in the State. Also, the taxing of mortgages and exempting the property mortgaged to the extent of the mortgage, and requesting the passage of the bill adopting the Australian system of voting.

Referred to Committee on Retrenchment and Reform.

Senator Reiniger presented petition of citizens of Charles City, Floyd county, asking additional legislation regulating peddlers' licenses.

Referred to Committee on Judiciary.

Senator Price presented memorial of Myers Post, G. A. R., No 39, Greenfield, Iowa, against soldiers' monument.

Referred to Committee on Military.

Senator Woolson presented memorial of McFarland Post No. 20, G. A. R., with reference to Soldiers' Home, soldiers' monument, etc.

Referred to Committee on Appropriations.

Senator Seeds presented petition of Grove Assembly, K. of L., of Hazelton, Buchanan county, Iowa, on various subjects.

Referred to Committee on Schools.

Senator Engle presented memorial of local assembly No. 2761, K. of L., of Newton, Jasper county, Iowa, on various subjects.

Referred to Committee on Labor.

Senator Mattoon presented petition of W. A. Boch & Co. and seven others of Allamakee county, asking for additional legislation in reference to peddlers.

Referred to Committee on Commerce.

Senator Clyde presented petition of Wright & Flint and George H. Worseldine, of Mitchell county, asking legislation in reference to peddlers.

Referred to Committee on Commerce.

Senator Cleveland presented petition of R. H. Bailey and others, of Atlantic, Iowa, asking for additional legislation regulating the license of peddlers.

Referred to Committee on Commerce.

Senator Dungan presented petition of 400 citizens of Lucas county, asking the legislature to provide a state bounty for wolf scalps of not less than ten dollars for pups and twenty dollars for old wolves.

Referred to Committee on Agriculture.

Senator Funk presented petition of W. F. Pillsbury and seven other merchants of Milford, Dickinson county, praying for local protection to established grocers against peddlers.

Referred to Committee on Commerce.

Senator Barrett presented memorial of Cottrell post No. 76, Hull, Iowa, against soldiers' monument.

Referred to Committee on Appropriations.

Senator Perkins presented memorial of Post 374 G. A. R., opposing an appropriation for a soldier's monument.

Referred to Committee on Military.

Senator Brower presented petition of citizens of Plymouth county asking legislation regulating peddlers.

Referred to Committee on Commerce.

Senator Mills presented petition of David Adams and others of Liscomb, Marshall county, asking that a tax be put upon peddlers.

Referred to Committee on Commerce.

Senator Mills presented memorial of F. W. Thomas Post No. 94, G. A. R. at Marshalltown, asking for a liberal appropriation for a hospital building at Soldiers' Home.

Referred to Committee on Appropriations.

Senator Barnett presented memorial of Milo Post, of Milo, Iowa, No. 275, protesting against soldiers' monument.

Referred to Committee on Appropriations.

Senator Gobble presented petition of Benjamin Beach, George Satterly and 34 others, formerly members of the First Iowa volunteers, asking for an appropriation of \$100 each.

Referred to Committee on Claims.

Senator Harsh presented memorial of T. J. Potter Post, G. A. R. No. 440, Creston, Iowa, asking for the building of a soldiers' hospital at Marshalltown, and opposing the building of a stone monument in Des Moines.

Referred to Committee on Military.

Senator Weidman presented memorial of Jonathan Shear, of Red Oak, in relation to the competitive examination of teachers.

Referred to 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 concurred in joint resolution No. 3, relative to the construction of a canal from the Mississippi river to the Illinois river, in the State of Illinois.

Also joint resolution in reference to arrears of pensions.

H. S. WILCOX, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator Kelly, Senate file No. 224, 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 and the erection of additional buildings.

Read first and second times and referred to the Committee on Appropriations.

By Senator Meservey, by request, Senate file No. 225, a bill for an act to amend chapter thirty-two (32) of the acts of the Twenty-second General Assembly, relating to viaducts in cities.

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

By Senator Mosnat, Senate file No. 226, a bill for an act to increase the number of judges of Supreme Court.

Read first and second times and referred to the Committee on Judiciary.

By Senator Brower, Senate file No. 227, a bill for an act to provide for the permanent support of the State University in the several departments and chairs, and to aid the income fund, and to create a fund from which money may be used in the enlargement of the facilities of the said institutions as shall be determined by the Board of Regents of said institution.

Read first and second times and referred to the Committee on Educational Institutions.

By Senator Brower, by request, Senate file No. 228, a bill for an act authorizing mutual benefit associations, organized under the laws of the State of Iowa, and doing business upon the mutual assessment plan to consolidate, and authorizing such associations when having more than one division to consolidate the same.

Read first and second times and referred to the Committee on Insurance.

By Senator Harsh, Senate file No. 229, a bill for an act to prevent the restraint of labor and trade, suppress and prevent trusts, pools, combines and conspiracies, and to fix punishment or penalties for formation of trusts, pools, combines and conspiracies, or being connected therewith, and as to evidence in such cases.

Read first and second times and referred to the Committee on Labor.

Senator Seeds was called to the chair by the President who was called away indefinitely.

By Senator Perkins, Senate file No. 230, a bill for an act making appropriations for the hospital for the insane at Clarinda, Iowa.

Read first and second times and referred to the Committee on Appropriations.

By Senator Davidson, Senate file No. 231, a bill for an act making appropriation to the Iowa Agricultural College.

Read first and second times and referred to the Committee on Appropriations.

By Senator Kegler, Senate file No. 232, a bill for an act to amend chapter one hundred and eighty-five (185) of the acts of the Twentieth (20th) General Assembly and chapter one hundred and forty-nine (149) of the acts of the Twenty-first (21st) General Assembly in relation to the inspection of illuminating oils.

Read first and second times and referred to the Committee on Retrenchment and Reform.

By Senator Caldwell, Senate file No. 233, a bill for an act to repeal section one of chapter eleven of the laws of 1888 and to enact a substitute therefor.

Read first and second times and referred to the Committee on Judiciary.

On motion of Senator Woolson the order of business was suspended and the Senate proceeded to the election of President pro tem.

Senator Parrott nominated Senator Meservey.

Senator Shields seconded the nomination.

The roll was called with the following result:

Those voting for Senator A. F. Meservey were:

Senators Bailey, Ballingall, Barnett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dodge, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McVay, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vail, Weidman and Woolson—45.

Senator Engle voted for Senator Seeds—1.

Absent and not voting:

Senators Barrett, McCoy, Meservey and Wolfe—4.

Thereupon the President declared Senator A. F. Meservey duly elected President pro tem of the Senate.

On motion of Senator Dodge a committee of two was appointed to inform Senator Meservey of his election and conduct him to the chair.

The President appointed Senators Dodge and Woolson as such committee. Senator Meservey was conducted to the chair and addressed the Senate.

After which the regular order of business was resumed, it being the

INTRODUCTION OF BILLS.

By Senator Stewart, Senate file No. 234, a bill for an act to establish and maintain a Normal School at Grinnell, in Poweshiek county, for the instruction and training of teachers.

Read first and second times and referred to the Committee on Educational Institutions.

By Senator Weidman, Senate file No. 235, a bill for an act to establish and maintain a Normal School at Red Oak, Iowa, for the instruction and training of teachers for the common schools of the State.

Read first and second times and referred to the Committee on Educational Institutions.

By Senator Weidman, Senate file No. 236, a bill for an act to amend sections 370 and 3844 of the Code 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 Schmidt, Senate file No. 237, a bill for an act entitling persons paying special taxes assessed upon real estate, for the improvements of streets, in cities existing under special charters, to be credited with the amount of such special taxes so paid upon any general road or street tax charged against them on account of same real estate.

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

By Senator Groneweg, Senate file No. 238, a bill for an act to define the liability of fire and tornado insurance companies.

Read first and second times and referred to the Committee on Insurance.

By Senator Kelly, Senate file No. 239, a bill for an act to authorize the Adjutant-General to organize or contract for the organization of,

or contract for the services of a military band, to be known as the Iowa State Military Band, and to make an appropriation therefor.

Read first and second times and referred to the Committee on Military.

By Senator Vale, Senate file No. 240, a bill for an act to amend section 4062 of the Code of 1873, relative to Canada thistles.

Read first and second times and referred to the Committee on Agriculture.

By Senator Bailey, Senate file No. 241, a bill for an act amendatory of section three (3), of chapter 184, of the laws passed by the Eighteenth General Assembly, relative to compensation of county auditors.

Read first and second times and referred to the Committee on Compensation of Public Officers.

By Senator Funk, Senate file No. 242, a bill for an act appropriating funds for the support of the State Fish Commission.

Read first and second times and referred to the Committee on Appropriations.

By Senator Mills, Senate file No. 243, 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 one thousand or more inhabitants, and to change the date upon which said treasurer is required to make annual report.

Read first and second times and referred to the Committee on Schools.

By Senator McVay, Senate file No. 244, a bill for an act for an appropriation for the claim of J. P. Bushnell & Co. for preparing, publishing and distributing five thousand 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 Shields, Senate file No. 245, a bill for an act to amend sections 829 and 830 of the Code, relating to appeals from the Board of Equalization and making the same applicable to cities under special charters.

Read first and second times and referred to the Committee on Judiciary.

By Senator Hanchett, Senate file No. 246, a bill for an act providing for licensing and regulating or prohibiting the sale of intoxicating liquors in the State of Iowa.

Read first and second times and referred to the Committee on Suppression of Intemperance.

By Senator Gatch, Senate file No. 247, a bill for an act providing for the acknowledgment and recording of deeds in certain cases and

rendering valid the acknowledgment of deeds and instruments in writing.

Read first and second times and referred to the Committee on Judiciary.

By Senator Gatch, by request, Senate file No. 248, a bill for an act to amend section 1144 of chapter 4, title IX of the Code of Iowa, relating to foreign insurance companies.

Read first and second times and referred to the Committee on Insurance.

By Senator Gatch, by request, Senate file No. 249, a bill for an act providing a substitute for chapter 6 of title 9 for establishing and governing mutual loan and building associations.

Read first and second times and referred to the Committee on Corporations.

By Senator Engle, Senate file No. 250, a bill for an act to compel employers to pay their employes semi-monthly.

Read first and second times and referred to the Committee on Labor.

By Senator Engle, Senate file No. 251, a bill for an act relating to the liability of mine operators for the negligence or wrongs of their agents or employes.

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

By Senator Barnett, Senate file No. 252, a bill for an act to amend chapter 16 of the acts of the Twenty-second General Assembly, relating to improvements of, and granting additional powers to, cities of the first and second class.

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

By Senator Clyde, by request, Senate file No. 253, a bill for an act relating to the assessment of property for the purpose of taxation, amendatory of chapter 1, title VI, of the Code.

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

REPORTS OF COMMITTEES.

On motion of Senator Woolson, the Senate took up for consideration the report of the Committee on Rules, made yesterday, and the resolution offered by Senator Meservey relative to the printing of bills as amended by the committee, was adopted.

Also, the report of the Committee on Rules relative to authorizing the Secretary of the Senate to detail certain committee clerks for journal work with resolutions, was adopted.

PETITIONS AND MEMORIALS.

Senator Kent presented memorial of local assembly 5396, Keokuk, Iowa, favoring free-text books; the Australian system of voting, and referring to various other subjects.

Referred to Committee on Labor.

Senator Gatch presented a memorial from a convention of sheriffs, marshals, and chief of polices of Iowa, relative to certain amendments to the criminal laws of the State.

Referred to Committee on Judiciary.

Senator Hauchett introduced the following resolution:

Resolved by the Senate of the Twenty-third General Assembly of the State of Iowa:

WHEREAS, The people of the State of Iowa, without regard to party affiliation have for several years past, and now are demanding that a law be enacted by the General Assembly providing for a uniform or otherwise series of school text-books for use in the public schools of the State, and

WHEREAS, A great number of bills relating to schools and school matters have already been filed in or introduced in the Senate of the Twenty-third General Assembly, and

WHEREAS, A number of bills relating to school matters now in the hands of, or being prepared by members of this Senate and to be introduced at this session of the General Assembly is so large that it will be impossible for want of time for the Committee on Schools to give said bills the careful attention and consideration they require, therefore

Resolved, That the President of the Senate of this Twenty-third General Assembly be, and he hereby is authorized and directed to appoint a special committee on text-books, and to which committee shall be referred all bills and resolutions relating to school text-books, which have or shall be presented to the Senate of the Twenty-third General Assembly.

Said special committee shall consist of eleven members of this Senate, one of whom shall be selected from each of the eleven congressional districts of the State.

Referred to Committee on Schools.

Senator Hanchett moved to recall his resolution relative to the appointment of a special committee to which all school book bills shall be referred from the Committee on Schools, and that the same be considered at the next session of the Senate.

Pending which Senator Finn moved to adjourn.

Carried, and the Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, Saturday, March 8, 1890. }

The Senate met in regular session at 10 o'clock A. M. Lieut Gov. Poyneer in the chair.

Prayer by Rev. A. H. Schaffer.

Senator Hanchett called up his motion for consideration relative to recalling his resolution relating to a special committee on school books, and the motion was adopted.

The question being on the adoption of the resolution, Senator Finn offered the following amendment.

Amend by adding: "Said committee is hereby instructed to report at an early day, not later than March 12, 1890, a bill providing for State contract and State uniformity in school text-books."

The question now being on the adoption of the amendment.

Senator Woolson moved to postpone further consideration of this question until 10:30 o'clock A. M. next Tuesday, and that it be made a special order for that hour.

Carried.

The President announced as the special committee to investigate trusts and combinations as provided for by the Harsh concurrent resolution, Senators Seeds and Cleveland.

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. 112, 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 accompanying substitute be adopted in lieu thereof, and that as so amended the bill do pass.

JOHN S. WOOLSON,
Chairman.

Ordered passed on file.

Substitute for Senate file No. 112, by Hanchett.

A BILL.

FOR AN ACT TO AMEND SECTION 204 OF THE CODE OF 1873.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 204 of the Code of 1873, be and the same is hereby

amended by adding thereto the following: "The clerk, his deputy and all persons employed in the clerk's office, are hereby prohibited from drawing or presenting administrators' or guardians' reports or any other report or paper upon which the clerk or court is required by law to pass or act upon."

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 210, a bill for an act to legalize the acts of the council of the incorporated town of Arcadia, in Carroll 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 striking out the last thirteen lines of the first page of said bill, and inserting the following in lieu thereof:

"WHEREAS, The town of Arcadia was organized according to law, its ordinances passed and published as the law provides, and taxes levied, and its acts generally performed in accordance with law, but the records do not in all cases show the actual facts in the case therefore."

And that as so amended the bill do pass.

JNO. S. WOOLSON, *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. 123, a bill for an act to repeal section 631 of the Code of 1873 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 the bill be amended by inserting the words "Justices of the Peace and Constables," after the words "township officers" in the fourth, seventh and eleventh lines of said printed bill; and that as so amended the bill do pass.

JNO. S. WOOLSON, *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. 176, a bill for an act to amend section 9, chapter 100, laws of the Sixteenth 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.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 99, a bill for an act legalizing the acts of the council of the city of Charles City, Floyd county, Iowa, and legalizing the ordinances and resolutions passed and adopted for the government of said city, beg leave to report that they have had the

same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

JNO. S. WOOLSON, *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. 37, a bill for an act to repeal the last sub-division of section 3061 of the Code and to enact a substitute therefor, relating to interest on judgments when stay of execution is had, beg leave to report 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 Bayless, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred a memorial and concurrent resolution, instructing and requesting Iowa Senators and Representatives in congress to ask for an appropriation to pay the claim of Captain Washington Galland for expenditures in raising, organizing and subsisting recruits for the army 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 it do pass.

F. D. BAYLESS, *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. 58, a bill for an act to render privileged confidential communications to editors, publishers and reporters of newspapers, beg leave to report 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.

A. B. FUNK, *Chairman*.

Ordered passed on file.

Senator Brower, from the Committee on Banks, submitted the following report :

MR. PRESIDENT— Your Committee on Banks, to whom was referred Senate File No. 3, a bill for an act providing for 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 it be amended by striking out all of section one after the word "under" in the seventh line of the printed bill, and inserting the following : "Ten dollars ; from banks having a capital of more than twenty-five thousand dollars, and under fifty thousand dollars, fifteen dollars ; from banks having a paid-up capital of fifty thousand dollars and not exceeding one hundred thousand dollars, twenty dollars ;

from banks exceeding one hundred thousand dollars, twenty-five dollars," and when so amended that the bill do pass.

N. V. BROWER, *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. 95, a bill for an act to prohibit selling, giving or furnishing tobacco, in any of its forms to minors, and providing a penalty 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 not pass.

T. J. CALDWELL, *Chairman*.

Ordered passed on file.

Senator Meservey, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 174, a bill for an act to prohibit railroad companies owning or operating a line of railway in this State from placing any hand-car, road-car or other machinery, material or debris within fifty feet of any public highway where such public highway crosses said railway track, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the following amendment: To add to the end of the title of the bill the words: "Or runs parallel thereto." To add to the end of section 1 of the bill the words: "Or runs parallel thereto." To insert after the second word "shall" in the second line of section 2, the words: "Be deemed guilty of a misdemeanor, and upon;" and to strike out the word "on" in said line. To insert after the word "fifty" in the third line of section 2, the word "dollars." To strike out sections 3 and 4, with recommendation that it do pass.

A. F. MESERVEY, *Chairman*.

Ordered passed on file.

Senator Davidson, 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. 4, to the Congress of the United States in relation to arrears of pensions, and find the same correctly enrolled.

D. B. DAVIDSON, *Chairman*.

Senator Davidson, 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, Memorial and Joint Resolution relative to the construction of a canal from the Mississippi River to the Illinois River at Hennepin, in the State of Illinois, and find the same correctly enrolled.

D. B. DAVIDSON, *Chairman*.

Senator Hanchett, for the committee appointed to visit the penitentiary at Anamosa, submitted a report.

Ordered printed and passed on file.

Senator Caldwell offered the following resolution:

Resolved, By the Senate, that the Secretary be instructed to prepare and have printed one hundred copies of a daily calendar, containing all bills, reported by committees, bills on third reading, special orders and joint resolutions, for the use of the Senate.

Adopted.

Senator Price moved to take up his concurrent resolution relative to government purchase of patents.

Carried.

The question being on the adoption of the amendment to the substitute offered by Senator Dodge.

Senator Kelly moved to lay the whole matter on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Bayless, Bolter, Cleveland, Dodge, Gobble, Groneweg, Hanchett, Kegler, Kelly, Kent, Mattoon, Mosnat, Rich, Stewart, Taylor—16.

The nays were:

Senators Bailey, Barrett, Bills, Brower, Caldwell, Clyde, Davidson, Gatch, Harsh, Mack, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Smith of Linn, Smith of Wright, Vale, Weidman, Woolson—22.

Absent or not voting:

Senators Barnett, Cassatt, Dungan, Engle, Finn, Funk, Lawrence, McCoy, Schmidt, Seeds, Shields, Wolfe—12.

So the motion was lost.

Senator Kegler moved to refer the resolution and amendment to the Committee on Federal Relations.

Senator Vale moved the previous question, which was seconded, and the main question was ordered to be put.

The question now recurring on the adoption of the amendment offered by Senator Dodge,

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Bayless, Bills, Bolter, Cleveland, Dodge, Gobble, Groneweg, Hanchett, Kelly, Mattoon, Mosnat, Rich, Stewart, Taylor—15.

The nays were:

Senators Bailey, Barrett, Caldwell, Clyde, Davidson, Finn, Funk, Gatch, Harsh, Mack, McVay, Meservey, Mills, Parrott, Perkins, Price

Reiniger, Smith of Linn, Smith of Wright, Vale, Weidman, Woolson—22.

Absent or not voting:

Senators Barnett, Brower, Dungan, Engle, Kegler, Kent, Lawrence, McCoy, Schmidt, Seeds, Shields, Wolfe, Cassatt—13.

So the amendment was lost.

Senator Kegler was excused.

The question now being on the adoption of the substitute offered by Senator Price,

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barnett, Barrett, Caldwell, Clyde, Davidson, Funk, Gatch, Harsh, Mack, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Smith of Linn, Smith of Wright, Vale, Weidman, Woolson—22.

The nays were:

Senators Ballingall, Bayless, Bills, Bolter, Cleveland, Dodge, Finn, Gobble, Groneweg, Hanchett, Kelly, Mattoon, Mosnat, Rich, Stewart, Taylor—16.

Absent or not voting:

Senators Brower, Cassatt, Dungan, Engle, Kegler, Kent, Lawrence, McCoy, Schmidt, Seeds, Shields, Wolfe—12.

So the substitute was adopted.

Senators, Seeds, Lawrence, Engle, Dungan and Shields were excused.

The question now being on the adoption of the resolution as amended. On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barnett, Barrett, Caldwell, Clyde, Davidson, Finn, Funk, Gatch, Harsh, Mack, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Smith of Linn, Smith of Wright, Vale, Weidman, Woolson—23.

The nays were:

Senators Ballingall, Bayless, Bills, Bolter, Cleveland, Dodge, Gobble, Groneweg, Hanchett, Mattoon Mosnat, Rich, Stewart, Taylor—15.

Absent or not voting:

Senators Brower, Cassatt, Dungan, Engle, Kegler, Kent, Lawrence, McCoy, Schmidt, Seeds, Shields, Wolfe—12.

So the resolution as amended was adopted.

HOUSE MESSAGES.

Senator Woolson moved to take up House messages. Carried.

The House concurrent resolution relative to printing the joint rules was taken up and concurred in.

Senator Davidson offered the following concurrent resolution:

WHEREAS, The prices of all farm products are greatly reduced, and

WHEREAS, The producing class find it burdensome to pay the taxes now levied upon them, therefore, be it

Resolved, By the Senate, the House concurring: That the appropriation committees of the Twenty-third General Assembly, be and are hereby instructed to make their reports of appropriations on the basis of a two mill State tax levy, instead of a two and one-half mill levy as heretofore done.

Passed over under the rule.

INTRODUCTION OF BILLS.

By Senator Vale, Senate file No. 254, a bill for an act to repeal section 1, chapter 163, of the laws of the Twentieth General Assembly, and to enact a substitute therefor.

Read first and second times and referred to the Committee on Railways.

By Senator Gatch, Senate file No. 255, a bill for an act providing the times and manner of certifying special assessments made by certain cities of the first class, to the county auditor for collection, and to legalize the certification and collection of assessments therefor certified.

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

By Senator Gatch, Senate file No. 256, a bill for an act to limit the compensation of Justices of the Peace and Constables for services in criminal cases.

Read first and second times and referred to the Committee on Compensation of Public Officers.

By Senator Reiniger, Senate file No. 257, a bill for an act regulating contracts of employment of managers and superintendents of State institutions whose compensation is not fixed by law.

Read first and second times and referred to the Committee on Compensation of Public Officers.

By Senator Meservey, by request, Senate file No. 258, a bill for an act to legalize the acts of the clerks of the district and circuit courts of Plymouth county in entering judgments on confession in said courts.

Read first and second times and referred to the Committee on Judiciary.

By Senator Parrott, by request, Senate file No. 259, a bill for an act to repeal chapter 103, of the acts of the Twenty-first General Assembly, relating to release of judgments, mortgages and deeds of trust by administrators, executors and guardians appointed in other States and countries.

Read first and second times and referred to the Committee on Judiciary.

Senator Barnett submitted report of committee appointed to visit the fish hatching house.

Passed on file and ordered printed.

Senator McVay submitted the report of the committee appointed to visit the penitentiary at Ft. Madison.

Passed on file and ordered printed.

On motion of Senator Hanchett, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, March 10, 1890. }

The Senate met in regular session at 10 o'clock A. M., and was called to order by Hon. A. F. Meservey, President pro tem.

Prayer by Rev. E. P. Bartlett.

The journals of March 6, 7, and 8 were corrected and approved.

PETITIONS AND MEMORIALS.

Senator Bailey presented petition of H. S. Tucker and 35 other voters of Winneshiek county, protesting against the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Bailey presented petition of 25 adult women and mothers of Howard county; also a petition of L. E. Eaton and 23 voters of Howard county, protesting against the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Bayless presented petition of A. E. Axtell, Gus Eppler and 48 others of Clayton county, asking that suitable laws be passed to prevent the adulteration of food and drugs.

Referred to Committee on Public Health.

Senator Barrett presented petition of 1,064 voters and adult women and mothers of O'Brien, Sioux, Lyon and Osceola counties, asking the Legislature not to repeal the present prohibitory liquor law.

Referred to Committee on Suppression of Intemperance.

Senator Bolter presented petitions of Lulu Hoffman, S. S. Pelton, Emeline Tupper, Mrs. M. E. Regg, Mrs. S. S. Pelton and 55 other adult women, and 5 voters of Harrison county, asking that the present prohibitory law be maintained.

Referred to Committee on Suppression of Intemperance.

Senator Bolter presented resolutions of Pioneer Law Makers' association relative to preserving printed and written documents pertaining to the history of the Territory and State of Iowa and other subjects.

Senator Bolter moved that the foregoing resolutions be referred to a special committee of three, of which Senator Dungan shall be chairman.

Carried.

Senator Brower presented petition of E. M. Warner and 2 others of Franklin county; also, a petition of Peter Jackson and 34 voters of Franklin county; also, petition of 33 adult women and mothers of Franklin county; also, petition of Jasper Dexter and 41 voters of Cerro Gordo county; also, petition of Wm. B. Glidden and 66 others of Franklin county; also, petition of 41 mothers of Hancock county; also, petition of Mrs. Reed and other wives and mothers of Hancock county; also, petition of W. W. Dunsmore and 43 other wives and mothers of Hancock county; also, petition of 33 adult women and mothers of Cerro Gordo county; also, petition of Mrs. G. W. Butts and 12 others of Hancock county; also, petition of O. Olson and 37 others of Hancock county; also, petition of W. W. Dunsmore and 119 other voters of Hancock county, all protesting against the repeal of the prohibitory law.

Referred to the Committee on Suppression of Intemperance.

Senator Cleveland presented petition of 83 adult women and mothers of Cass county; also, petition of Wm. Wells and 100 other voters of Cass county; also, petition of 24 voters of Cass county; also, petition of 40 wives and mothers of Cass county; also, petition of Silas Davis and 11 other voters of Shelby county; all protesting against the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Caldwell presented petition of A. L. Hamilton and 52 voters of Audubon county; also, petition of 39 adult women and mothers of Audubon county; also, petition of 13 citizens of Brough, Dallas county; also, petition of 15 citizens of Prairie Home District, Dallas county; also, petition of 21 citizens of Dallas county; also, petition of A. Isenhardt and 163 other voters of Dallas county; also, petition of 65 adult women and mothers of Dallas county; also, petition of 137 adult women and mothers of Guthrie county; also, petition of S. A. Smith and 402 other voters of Guthrie county; all asking no repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Cleveland presented resolution of G. A. R. Post, No. 6, Atlantic, in favor of an appropriation of \$500,000 for soldiers' monument.

Referred to Committee on Military.

Senator Clyde presented petition of G. G. Mellem and 13 other voters and women of Worth county, against repeal of prohibitory law; also, petition of Walter Gillrup and 163 other voters of Worth county against repeal of prohibitory law; also, petition of E. M. Getts, Frank L. Rogers and 74 other voters of Mitchell county, against repeal of prohibitory law; also, petition of Lizzie McIlvary, Maggie

Starr and 86 other adult women and mothers of Mitchell county, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Clyde presented petition of Madison Alliance No. 1209, Hancock county, asking for exemption from taxation of property used in manufacturing products of Iowa farms, and for other laws.

Referred to Committee on Ways and Means.

Senator Clyde presented petition of Local Assembly Knights of Labor No. 1214 Northwood, asking for district ownership of textbooks to be furnished free to pupils, and for other laws.

Referred to Committee on Schools.

Senator Davidsen presented petition of Mrs. F. M. Baldwin and 80 others of Story county; also petition of W. J. Hahn and 174 other voters of Story county, against the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Dodge presented petition of C. P. Boardman and 39 other voters of Des Moines county, against the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Dodge presented petition of Sheppard Post, No. 157, G. A. R., opposed to building a soldiers' monument, and asking for hospital at Marshalltown.

Referred to Committee on Military.

Senator Engle presented petition of 125 persons, praying for the repeal of the Medical Bill.

Placed on file with permission to withdraw.

Senator Finn presented petition of J. A. Rose, A. G. Foreman and 53 other voters of Clearfield, Taylor county, Iowa, against the repeal of the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Funk presented petition of 55 adults, women and mothers of Kossuth county, against the repeal of the prohibitory law; also petition of Albert G. Warren and 25 other voters of Clay county, against the repeal of the prohibitory law; also petition of 31 adult women and mothers of Clay county, against the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Gatch presented petition of F. B. Rice and four other voters of Polk county, against the repeal of the prohibitory law; also petition of 5 adult women and mothers of Polk county, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Meservey presented petition of J. C. Bullon and 40 other voters of Plymouth county, against repeal of prohibitory law; also petition of 2 adult women of Plymouth county, against repeal of prohibitory law; also petition of 52 adult women and mothers of Plymouth county, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Gobble presented petition of S. Caldwell Post, No. 360, G. A. R., Lettsville, Iowa, against soldiers' monument.

Referred to Committee on Military.

Senator Groneweg presented petition of 135 adult women and mothers of Pottawattamie county, and of John Fair and 176 other voters of Pottawattamie county, against the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Groneweg presented petition of Fruit Growers' and Gardeners' Association of Council Bluffs, praying for the passage of a bill providing State aid for farmers' institutes, fruit growers, gardeners and kindred associations.

Referred to Committee on Agriculture.

Senator Harsh presented petitions of 200 adult women, wives and mothers and voters of Ringgold and Decatur counties, Iowa, favoring the retention of the present prohibitory liquor law.

Referred to Committee on Suppression of Intemperance.

Senator Kelly presented two petitions of 77 citizens and voters, residents of Johnson county, Iowa, asking that no change be made in the present prohibitory liquor law.

Referred to Committee on Suppression of Intemperance.

Senator Mack presented 5 petitions of 97 citizens of Pocahontas county, against the repeal of the prohibitory liquor law; also 11 petitions from 298 citizens of Buena Vista county, against repeal of prohibitory law; also one petition by 24 voters of Humboldt county.

Referred to Committee on Suppression of Intemperance.

Leave granted to withdraw.

Senator Mattoon presented 3 petitions of 200 voters of Fayette county, against the repeal of prohibitory law; also petition of 93 adult women and mothers of Fayette county, against the repeal of prohibitory law.

Senator McVay presented petition of 184 voters of Webster county, against repeal of prohibitory law; also petition of 218 adult women and mothers of Webster county, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Parrott presented petition of 120 voters of Grundy county, against repeal of prohibitory law; also petition of 129 students of State Normal School at Cedar Falls, against repeal of prohibitory law;

also petition of 28 adult women and mothers of Grundy county, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Perkins presented petition of Joe Ross Post No. 209, Sidney, Iowa, against the appropriation of money for a soldiers' monument and favoring a hospital at Marshalltown.

Referred to Committee on Military.

Senator Perkins presented petition of 209 voters of Page county; also petition of 233 adult women and mothers of Page county, asking for no repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Price presented petition of 16 adult women and mothers of Adair county; also petition of W. Taylor and 23 other voters of Adair county; also petition of 17 adult women and mothers of Adair county; also petition of J. E. Hunt and 34 voters of Madison county; also petition of O. A. Tuttle and 81 voters of Adair county, all against the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Reiniger presented petition of Madison Alliance, Hancock county, favoring legislation exempting manufacturing plants from taxation, also exempting improvements on homesteads from taxation.

Referred to Committee on Ways and Means.

Senator Reiniger presented petition of A. P. Morton Post No. 277, New Hampton, Iowa, opposing soldiers' monument and favoring hospital at Marshalltown.

Referred to Committee on Military.

Senator Rich presented petition of 54 voters of Carroll county, against repeal of prohibitory law; also petition of 67 voters of Greene county, against repeal of prohibitory law; also petition of 31 adult women and mothers of Greene county, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Seeds presented petition of 48 voters of Delaware county, against repeal of prohibitory law; also petition of 63 adult women and mothers of Delaware county, against repeal of prohibitory law; also petition of 57 adult women and mothers of Buchanan county, against repeal of prohibitory law; also petition of 121 voters of Buchanan county, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Seeds presented memorial of W. A. Morse Post G. A. R., of Manchester, Iowa, against erection of soldiers' monument.

Passed on file and leave granted to withdraw.

Senator Shields presented petition of Dubuque Trade and Labor

Congress, asking for adequate appropriation in aid of the Labor Bureau of the State.

Referred to Committee on Labor.

Senator Smith of Linn presented petition protesting against repeal of prohibitory law, by W. H. Runkle and 64 other voters; also petition of D. L. Fouse and 27 other voters of Linn county, against repeal of prohibitory law; also petition of 58 adult women and mothers of Linn county, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Smith of Linn presented petition of Laura S. Parks and 11 other ladies of Cedar Rapids, asking compulsory education.

Referred to Committee on Schools.

Senator Smith of Wright presented petition of P. Marti, H. G. Lee and 40 other voters of Hamilton county, against repeal of prohibitory law; also petition of G. G. Lewis and 9 other voters of Wright county, against repeal of prohibitory law; also petition of 4 adult women and mothers of Wright county, against repeal of prohibitory law; also petition of 40 women and mothers of Webster City, Hamilton county, against repeal of prohibitory law; also petition of 39 women of Stratford, Hamilton county, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Stewart presented petition of W. H. Price and 35 voters of Poweshiek county; S. S. Seamans and 23 other voters, Keokuk county; 32 adult women and mothers of Keokuk county, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Weidman presented petition of D. E. Frances, F. B. Lawrence, F. H. Launeke, Harry Barnes, John G. Jones and 434 other voters of Montgomery county, against repeal of prohibitory law; also petition of Mrs. H. Barnes and 56 other women and mothers of Montgomery county, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Woolson presented petition of J. H. Drake, M. F. Burkett, and 49 other voters of Henry county, against repeal of prohibitory law; also petition of 47 adult women and mothers of Henry county against repeal of prohibitory law; also 17 voters, mothers and adult women of Clay, Washington county, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Brower presented memorial of Madison Alliance, Hancock county, 1st, favoring legislation exempting manufacturing plants from taxation; 2d, exempting improvements on homesteads from taxation.

Referred to Committee on Retrenchment and Reform.

Senator Brower presented petition of Mulligan Post G. A. R., of Sheffield, Franklin county, Iowa, in favor of building hospital at Soldiers' Home, Marshalltown, and against the erection of a monument at present.

Referred to Committee on Appropriations.

Senator Brower presented petition of the State Assembly of Knights of Labor in favor of district ownership of school text-books and other laws.

Referred to Committee on Retrenchment and Reform.

Senator Parrott presented petition of Farmers' Institute of Grundy county, asking the passage of a law granting aid for farmers' institutes.

Referred to Committee on Agriculture.

Senator Parrott presented petition of F. M. Thompson Post, LaPorte City, Iowa, against appropriation for soldiers' monument and favoring a hospital at Marshalltown.

Referred to Committee on Military.

Senator Ballingall presented petition of Chris. How, S. G. Cushing, and 436 other voters of Wapello county, and 393 adult women and mothers of same county, asking no repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Barnett presented petition of C. D. Allen and 329 voters and 128 adult women and mothers of Warren county, asking for no repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Bills presented petitions of G. W. Lathrop, F. A. Mill, M. C. Benton, Joseph Lashway, Walter James, C. H. Orvis, Mrs. Tyrrell, May R. Pearson and Lydia Miller, and 422 others, of Cedar and Jones counties, asking for no repeal of the prohibitory law.

Passed on file and permission granted to withdraw.

Senator Stewart presented petition of Knights of Labor convention at Marshalltown in favor of larger appropriation for Bureau of Labor Statistics, taxation of mortgages and on other subjects.

Referred to Committee on Labor.

Senator Caldwell presented the report of the committee appointed to visit the Hospital for the Insane at Mt. Pleasant.

Passed on file and ordered printed.

Senator Mack presented the report of the committee appointed to visit the College for the Blind at Vinton.

Passed on file and ordered printed.

Senator Davidson moved to make his resolution relative to the amount of tax levy a special order for Wednesday at 10 o'clock A. M. Carried.

Senator Perkins presented the report of the committee appointed to visit the State Normal School at Cedar Falls.

Ordered passed on file and ordered printed.

Senator Parrott, 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. 193, a bill for an act to amend section 1, chapter 20, of the laws of the Thirteenth 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 referred to the Committee on Highways.

MATT PARROTT, *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 Joint Resolutions which have passed both branches of the General Assembly, been duly enrolled, and signed by the Speaker of the House:

Joint Resolutions Nos. 3 and 4, originating in the Senate.

HENRY S. WILCOX, *Chief Clerk*.

INTRODUCTION OF BILLS.

By Senator Caldwell, Senate file No. 260, a bill for an act to repeal section 1, of chapter 10, of the laws of the Twenty-second General Assembly, and to enact a substitute therefor.

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

By Senator Ballingall, Senate file No. 261, a bill for an act to amend sections 674 and 3077, and to repeal section 678 of the Code of Iowa, 1873, relating to official bonds and exemptions.

Read first and second times and referred to the Committee on Judiciary.

By Senator Ballingall, Senate file No. 262, a bill for an act relating to county officers.

Read first and second times and referred to the Committee on Judiciary.

By Senator Ballingall, Senate file No. 263, a bill for an act to prevent fraudulent transfers of property by State and county officers.

Read first and second times and referred to the Committee on Judiciary.

By Senator Ballingall, by request, Senate file No. 264, a bill for an act requiring standard United States hunting flags to be placed on all school buildings in towns and cities of more than one thousand inhabitants, and providing for military instruction.

Read first and second times and referred to the Committee on Military.

By Senator Smith of Wright, Senate file No. 265, a bill for an act to amend sections 946 and 947 of the Code of 1873.

Read first and second times and referred to the Committee on Highways.

Senator Finn moved to take up for consideration the joint resolution No. 2, of Senator Taylor, relative to removing some of the burdens from agriculture.

Carried.

The question now being on the adoption of the resolution, Senator Weidman offered the following substitute:

WHEREAS, The combinations now controlling the manufacture and market of binding twine are forcing those using such twine to pay exorbitant prices therefor, therefore be it

Resolved, By the Senate of the Twenty-third General Assembly of the State of Iowa, "That our Senators and Representatives in Congress are earnestly requested to vigorously support and if possible secure the passage of a bill placing jute and sisal grass upon the free list."

Pending which, Senator Price, by leave, presented the report of the committee appointed to visit the State University.

Passed on file and ordered printed.

Senator Gobble presented the report of the committee appointed to visit the girls' department of the State Industrial School at Mitchellville.

Passed on file and ordered printed.

Senator Mattoon presented report of committee appointed to visit the Hospital for the Insane at Independence.

Passed on file and ordered printed.

Senators Brower and Funk were granted further time in which to file the report of their committees to visit State institutions.

Senator McVay offered the following resolution:

Resolved by the Senate, the House concurring: That the President of the Senate and Speaker of the House of the Twenty-third General Assembly, shall each declare their respective Houses adjourned sine die on Thursday, April 10th, 1890, at 12 o'clock, noon.

Passed over under the rule.

Senator Bayless moved that the Senate do now adjourn until 9 A. M., to-morrow, and that the substitute offered by Senator Weidman for Joint Resolution No. 2, be made a special order for that hour.

Carried, and the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, March 11, 1890. }

Senate met in regular session at 9 o'clock A. M.

Lieutenant-Governor Poyneer in the chair.

Prayer by Rev. T. W. Woodrow.

This being the hour for consideration of the special order, being the substitute offered by Senator Weidman to Joint Resolution No 2, by Senator Taylor, relative to removing some of the burdens from agriculture, it was taken up.

Senator Weidman moved to amend the substitute by striking out the words "by the Senate of" and "Twenty-third General Assembly," Adopted.

By unanimous consent Senator Taylor amended the original resolution by striking out the word "enacted" and inserting the word "resolved."

The hour having arrived for the consideration of the special order, being the resolution by Senator Hanchett, relative to appointing a special committee to whom shall be referred all bills on the school book question, it was taken up.

The question being on the adoption of the amendment offered by Senator Finn.

Senator Harsh offered the following substitute for the amendment:

That said committee be instructed to report, without delay, a bill, which in the judgment of its members is probable the present General Assembly will enact into law, and if so enacted will best produce the following results:

1. Afford relief to the people from the present exorbitant prices they are now forced to pay for school books.

2. Produce the greatest possible uniformity as regards text-books in the schools of the State without lowering the present standard of such books as regards literary merit or mechanical make-up.

3. Prevent unnecessary and frequent changes in the books in the schools of the State.

4. Prevent to the greatest possible extent the loss to the people of the value of books now in their hands.

Senators Brower and Lawrence were excused.

Senator McVay moved to refer this whole matter to the Committee on Schools.

Senator Seeds moved to lay the original resolution and amendments on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Barnett, Bayless, Bills, Caldwell, Cassatt, Cleveland, Clyde, Dodge, Dungan, Engle, Finn, Funk, Kent, Mack, Mattoon, McVay, Meservey, Parrott, Perkins, Price, Reiniger, Rich, Seeds, Shields, Smith of Wright, Taylor, Vale, Woolson—30.

The nays were:

Senators Davidson, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Mills, Mosnat, Schmidt, Stewart, Weidman—12.

Absent or not voting:

Senators Barrett, Bolter, Brower, Gatch, Lawrence, McCoy, Smith of Linn, Wolfe—8.

So the motion was carried.

Senator Seeds presented the report of the committee to visit the Soldiers' Orphans' Home.

Passed on file and ordered printed.

The Journal of March 10th was corrected and approved.

Senator Seeds offered the following:

Resolved, That hereafter no member of the Senate shall speak more than ten minutes, nor more than once upon the same question, and no Senator shall speak more than once nor longer than five minutes upon each amendment; provided that the author or Senator in charge of a bill or resolution shall be allowed an additional ten minutes to close the debate.

Passed over under the rule.

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. 1, a bill for an act to legalize the annexation of certain territory o the town of What Cheer in Keokuk county.

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

Relative to joint convention to elect Regents of State institutions.

H. S. WILCOX, *Chief Clerk*,

Per Robb, *Ass't*.

REPORTS OF STANDING COMMITTEES.

Senator Smith of Linn, 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. 133, a bill for an act to establish and maintain a fire department in certain 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 it be amended by striking out the words "two mills" in line two (2) of section one (1) and inserting the words "one mill" in lieu thereof, and when so amended that the bill do pass.

J. H. SMITH, *Chairman*.

Ordered passed on file.

Senator Smith of Wright, from the Committee on Commerce, submitted the following report:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred Senate file No. 135, a bill for an act to amend section 456 of the Code of 1873, in relation to powers of cities and towns, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that a substitute be reported back and that it do pass.

Sec. 1. That section 456 of the Code of 1873 be and the same is hereby amended by adding thereto the following words: But nothing in this section shall preclude buyers and sellers from weighing on private scales if they so agree.

W. C. SMITH, *Chairman*.

Ordered passed on file.

Senator Brower, from the Committee on Banks, submitted the following report:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate file No. 6, a bill for an act to amend chapter 9 of the Code of 1873, and to make the provisions of the same applicable to private bankers, beg leave to report 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 Kent presented the report of visiting committee to Benedict Home.

Passed on file and ordered printed.

Senator Brower presented report of visiting committee to Soldiers' Home at Marshalltown.

Passed on file and ordered printed.

On motion of Senator Finn Senate file No. 6, a bill for an act to amend chapter 9 of the Code of 1873, and make the same applicable to private bankers, was re-referred to the Committee on Judiciary.

Senator Davidson, 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. 4, to the Congress of the United States in relation to the awards of pensions.

D. B. DAVIDSON, *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. 194, a bill for an act to more definitely designate the State Board of Examiners, as created by chapter 104, laws of the 22d General Assembly, 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 so adopted that it do pass.

T. J. CALDWELL, *Chairman*.

Ordered passed on file.

Senator Davidson, 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. 3.

Memorial and Joint Resolution relative to the construction of a canal from the Mississippi river to the Illinois river at Hennepin in the State of Illinois.

D. B. DAVIDSON, *Chairman*.

Senator Ed. P. Seeds, 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. 105, a bill for an act to amend section 17, chapter 94, 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 the following be substituted in lieu of section 1 of said bill, to-wit:

SECTION 1. That section 17, chapter 94, laws of the Nineteenth General Assembly be amended by striking out of the second line the word "less" and inserting the word "more," and as amended that it do pass.

ED. P. SEEDS, *Chairman*.

Ordered passed on file.

The Senate resumed consideration of Joint Resolution No. 2, relative to removing some of the burdens from agriculture.

The question being on the adoption of the substitute offered by Senator Weidman.

Senator Mack offered the following amendment to the substitute:

That the substitute offered by Senator Weidman be amended by inserting after the word "to," in the third line of the printed resolution, following the preamble, the words:

"Have the matter referred to in the above and foregoing preamble carefully investigated by a special committee, and if it is found on such investigation, that the present import duty affects, in any manner, the present price of the product of said articles, that they."

Senator Gatch, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations to whom was referred Senate file No. 83, 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 Committee on Claims.

C. H. GATCH, *Chairman*.

On motion of Senator Gatch, the report of the Committee was adopted.

Senator Schmidt moved that the Senate do now adjourn until 9 o'clock to-morrow morning, and that the pending question be made a special order for 11 o'clock.

Senator Kegler moved to amend by making the time 7:30 o'clock, P. M., to-day.

Lost.

The question now occurring on the original motion, it was carried and the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, March 12, 1890. }

Senate met in regular session at 9 o'clock A. M.

Lieutenant-Governor Poyneer in the chair.

Prayer by Rev. W. C. Madison of Pueblo, Colorado.

Senator Bolter moved that the committee appointed to preserve the records of the Pioneer Law-Makers be made to consist of five members instead of three as at first provided.

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:

Senate file No. 172, a bill for an act to extend the limits of cities and for other purposes incident thereto, with amendments, strike out of section five in line five after the word "all," the words "such elective."

Add to section four the following: They shall also, within ten days after the appointment, for the purpose of holding the first election, herein after provided for, divide said wards into voting precincts, and appoint registers in each voting precinct to prepare and revise the lists of voters, using so far as applicable, present registration and poll lists from which to make said lists, and they shall, for that purpose, sit on each week day for one week previous to said election, and said commissioners shall also appoint judges of election and designate polling places in each voting precinct.

HENRY S. WILCOX,
Chief Clerk.

PETITIONS AND MEMORIALS.

Senator Kegler presented remonstrance of J. M. Johnson and others of Maquoketa, Jackson county, against the bill providing for the appointment of State inspectors of steam engines and boilers.

Referred to Committee on Commerce.

Senator Ballingall presented petition of Local Assembly No. 7126, Knights of Labor, of Ottumwa, Iowa, favoring free text-books to district townships, larger appropriations for Bureau of Labor Statistics, and other subjects.

Referred to Committee on Labor.

Senator Mattoon presented petition of Samuel Demming and 80 other voters of Allamakee county; also, petition of Rhoda S. Wilkinson and 101 others, non-voters of Allamakee county, asking the retention of the prohibitory liquor law.

Referred to Committee on Suppression of Intemperance.

Senator Mattoon presented memorial of Warner Post, No. 46, G. A. R., against soldiers' monument, and favoring hospital at Marshalltown.

Referred to Committee on Appropriations.

Senator Mattoon presented petition of Local Assembly No. 6914, Knights of Labor, West Union, favoring free district text-books, larger appropriations for Bureau of Labor Statistics, and on other subjects.

Referred to Committee on Retrenchment and Reform.

Senator Parrott presented petition of B. F. Robinson and 27 citizens of Grundy county, asking an appropriation to repay individual citizens money advanced to pay the expense of the Iowa exhibit at New Orleans exposition.

Referred to Committee on Claims.

Senator Bayless presented petition of Local Assembly No. 6881, K. of L. at North McGregor, asking legislation in the interest of labor and ballot reform.

Referred to Committee on Labor.

Senator Mosnat presented petition of Sadie Gilespie and 28 others; also, of Rebecca Christianson and 19 others; also, of John Brown and 46 others, all asking that the prohibitory law be maintained.

Referred to Committee on Suppression of Intemperance.

Senator Taylor presented petition of Local Assembly No. 1840 of K. of L. of Centerville, Iowa, in favor of district ownership of text-books and other laws. Referred to Committee on Labor.

Senator Funk presented petition of State Assembly of K. of L. of Iowa in convention assembled at Marshalltown, favoring a State text-book commission, and other laws.

Referred to Committee on Schools.

Senator Weidman presented petition of Local Assembly No. 949, Knights of Labor, Silver City, Mills county, and Local Assembly K. of L. No. 819, Malvern, Iowa, favoring free text-books to districts and on other subjects.

Referred to Committee on Labor.

Senator Harsh presented remonstrance of J. W. Bartlett and 9 other firms of Creston, Iowa, using or interested in steam boilers, protesting against creating of office of Steam Boiler Inspectors.

Referred to Committee on Commerce.

Also memorial of Henry Walton Post No. 312, G. A. R., Garden Grove, Iowa.

Referred to Committee on Appropriations.

Senator Bailey presented petition of Col. Hughes Post No. 168, at Decorah, Iowa, favoring a hospital at Marshalltown, Iowa, rather than a soldiers' monument.

Referred to Committee on Appropriations.

Senator Bailey presented memorial of citizens of Springfield township, Winneshiek county, Iowa, asking for State uniformity in school books.

Referred to Committee on Schools.

Senator Smith of Wright presented petition of C. L. Haworth and 70 others of Providence township, Hardin county, favoring uniformity of school text-books.

Referred to Committee on Schools.

Senator Reiniger presented memorial of I. V. Carpenter Post No. 104, of Cherokee county, opposing soldiers' monument and favoring hospital at Marshalltown.

Referred to Committee on Appropriations.

Senator Reiniger presented memorial of Crystal Alliance, Hancock county, in favor of exempting manufacturing plants from taxation, and other subjects.

Referred to Committee on Ways and Means.

Senator Engle presented memorial of Garret Post, No. 16, G. A. R., Newton, Iowa, against soldiers' monument and favoring hospital at Marshalltown.

Referred to Committee on Appropriations.

Senator Engle presented petition of J. J. Dother, Wm. Kimmell, J. L. Pitcol, Thos. Kelly, G. H. Richardson, F. Jomes, Geo. Orchard, Wm. Smith, A. J. Clausen, A. Walrod, Wm. Sears, Emeline Bradley, and 320 other adult citizens of Iowa, against the medical monopoly.

Passed on file and leave granted to withdraw.

Senator Davidson presented petition of Local Assembly 4302, K. of L., of Boone, Iowa, asking for free text-books, Australian ballot system and other legislation.

Referred to Committee on Schools.

Senator Davidson presented petition of Jason D. Ferguson Post, No. 31, protesting against the building of soldiers' monument and favoring a hospital in connection with the Soldiers' Home at Marshalltown.

Referred to Committee on Military.

Senator Vale presented petition of Shermer Post, No. 177, G. A. R., Van Buren county, against soldiers' monument and favoring soldiers' hospital at Marshalltown.

Referred to Committee on Appropriations.

Senator Price presented petition of ex-Senator Hunt and 500 others, asking appropriation to S. A. Gordon for stock killed by order of State Veterinary Surgeon.

Referred to Committee on Claims.

Senator Ballingall presented memorial of Cloutman Post No. 69, G. A. R., at Ottumwa, Iowa, against soldiers' monument, and favoring hospital at Marshalltown, Iowa.

Referred to Committee on Appropriations.

Senator Hanchett presented petition of W. H. Owen and 67 others, of Parkersburg, Butler county, Iowa, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Stewart presented petition of Local Assembly Knights of Labor No. 3886, Grinnell, Iowa, favoring free text-books to districts.

Referred to Committee on Labor.

Senator Gobble presented petition of W. J. Young & Co., C. Lamb & Sons, and 8 others, manufacturers, against a State boiler inspector bill.

Referred to Committee on Commerce.

Senator Parrott presented memorial of the school board of the independent school district of Cedar Falls, in reference to school-text books.

Referred to Committee on Schools.

Senator Dodge presented petition of Burlington Lumber Co. and others against State boiler inspection bill.

Referred to Committee on Commerce.

Senator Barrett presented petition of citizens of Sioux county, asking that a tax be imposed upon peddlers of groceries and merchandise generally.

Referred to Committee on Commerce.

Senator Barrett presented remonstrance of Shelby Norman Post No. 231, G. A. R., Muscatine, Iowa, against appropriating money for soldiers' monument.

Referred to Committee on Appropriations.

Senator Barrett presented resolutions adopted by L. G. Ireland Post No. 118, Sibley, Iowa, relative to election of officers of the Senate of the Twenty-third General Assembly.

Passed on file.

Senator Meservey presented petition of Local Assembly No. 1185, K. of L., Cherokee, Iowa, favoring free district township text-books and other legislation.

Referred to Committee on Labor.

Senator Reiniger presented memorial of Local Assembly No. 10738, K. of L., Charles City, favoring district township text-books free, and for other legislation.

Referred to Committee on Labor.

Senator McCoy presented memorial of Knights of Labor No. 9303, New Sharon, for district ownership of school books.

Referred to Committee on Schools.

Senator McCoy presented remonstrance of Oskaloosa monthly meeting of Friends church, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Weidman, Senate file No. 266, a bill for an act to protect owners of real estate from trespass by hunters, trappers and other persons.

Read first and second times and referred to the Committee on Agriculture.

By Senator Taylor, Senate file No. 267, a bill for an act curing defective deeds and conveyances of real estate heretofore made by foreign executors and trustees, under powers given by foreign wills, and by foreign executors and trustees, of foreign wills, and declaring legal and valid all deeds and conveyances heretofore made by such foreign executors trustees, or made by executors and trustees of foreign wills, regardless of the provisions and requirements of section number 2352 of the Code of Iowa, and of chapter number 162 of the laws of the 18th General Assembly of the State of Iowa.

Read first and second times and referred to the Committee on Judiciary.

By Senator Dungan, Senate file No. 268, a bill for an act to amend section 10, chapter 21, acts of the 20th General Assembly, and section 3, chapter 56, acts of the 22d General Assembly, relating to mines and mining.

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

By Senator Dungan, Senate file No. 269, a bill for an act to amend section 4 and repeal section 5, as amended by chapter 42, acts of the 22d General Assembly, and section 6 of chapter 70, acts of the 21st General Assembly.

Read first and second times and referred to the Committee on Agriculture.

By Senator Kent, by request, Senate file No. 270, a bill for an act to prevent discrimination in life insurance.

Read first and second times and referred to the Committee on Insurance.

By Senator Groneweg, Senate file No. 271, a bill for an act making appropriations for the Institution for the Education of the Deaf and Dumb at Council Bluffs, Iowa.

Read first and second times and referred to the Committee on Appropriations.

By Senator Bills, Senate file No. 272, a bill for an act to amend, revise and consolidate the various acts relating to the practice of pharmacy and the sale of drugs, medicines, chemicals and poisons and relating to the appointment and duties of the Commission of Pharmacy.

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

By Senator Ballingall, Senate file No. 273, a bill for an act for the preservation and protection of fish.

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

By Senator Ballingall, Senate file No. 274, a bill for an act for the punishment of conspirators against the public welfare.

Read first and second times and referred to the Committee on Judiciary.

By Senator Harsh, Senate file No. 275, a bill for an act to encourage the manufacture of binding twine in Iowa from flax straw or other material grown or produced in this State.

Read first and second times and referred to the Committee on Agriculture.

By Senator Barrett, Senate file No. 276, a bill for an act to change the name of the Iowa Institution for the Education of the Deaf and Dumb to the Iowa School for the Deaf.

Read first and second times and referred to the Committee on Educational Institutions.

By Senator Dodge, by request, Senate file No. 277, a bill for an act authorizing in certain cities, a special tax for the grading of streets.

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

By Senator Dodge, by request, Senate file No. 278, a bill for an act granting additional powers to certain cities.

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

By Senator Price, Senate file No. 279, a bill for an act to amend section 506 of the Code relating to fees of mayors of cities and incorporated towns.

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

By Senator Hanchett, Senate file No. 280, 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 Schmidt, by request, Senate file No. 281, a bill for an act to repeal chapter 5, title 25, of the Code of Iowa, and chapter 69, of the Sixteenth General Assembly, and to define who are vagrants, and to punish vagrants.

Read first and second times and referred to the Committee on Judiciary.

By Senator Mills, Senate file No. 282, a bill for an act to amend section 1, chapter 86, laws of the Twenty-first General Assembly, relating to boards of supervisors.

Read first and second times and referred to the Committee on Printing.

By Senator McVay, by request, Senate file No. 283, a bill for an act to repeal section 4018, chapter 9, title 24, of the code, and chapter 195, of the acts of the 20th General Assembly, and to enact a substitute therefor.

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

By Senator Finn, Senate file No. 284, a bill for an act to amend section 5658, McClain's code, chapter 38, laws of the 22d General Assembly, in reference to appointing clerks for grand jury.

Read first and second times and referred to the Committee on Judiciary.

On motion of Senator Schmidt, Senate file No. 58, a bill for an act to render privileged confidential communications to editors, publishers, and reporters of newspapers, with report of committee recommending that it be referred to the Committee on Judiciary, was taken up, considered, and the report of the committee was adopted.

The Journal of March 11 was corrected and approved.

Senator Woolson offered the following resolution :

Resolved, That whenever any bill or resolution, which has been referred to a standing committee, is reported back to the Senate, with a recommendation that

the same shall be referred to another standing committee, the Secretary of the Senate shall, upon filing of said report, and without any further order of the Senate being required, at once make the order of reference to said committee, as recommended.

Provided, That if any Senator shall announce to the Secretary that he objects to such reference being made, the Secretary shall not enter said order of reference but shall enter said report on the daily calendar.

Adopted.

Senator Woolson introduced the following resolution:

Resolved by the Senate of the Twenty-third General Assembly of Iowa:

That we believe the people of this State will heartily approve a heavy reduction of the custom duty on sugar, and, if found practicable, its being placed on the free list, and that in the opinion of this Senate such action is wholly preferable to any reduction of the internal revenue tax on tobacco.

Referred to the Committee on Federal Relations.

Senator Engle introduced the following:

JOINT RESOLUTION AND MEMORIAL NO. 6.

To the Congress of the United States:

Title, to elect United States Senator by a direct vote of the people.

Be it resolved by the General Assembly of the State of Iowa:

That our Senators in Congress are hereby instructed, and our representatives requested to use their best endeavors to secure an amendment to the Constitution of the United States providing for the election of United States Senators by a direct vote of the people of the several States.

Believing that our government should be a true republic and an actual democracy—in the language of President Lincoln, a government of the people, for the people, by the people.

The Secretary of State is hereby directed to forward copies of this resolution to our Senators and Representatives in Congress.

Read first and second times and referred to the Committee on Constitutional Amendments and Suffrage.

Pursuant to resolution the Committee on Printing hereby orders reprinted bills as follows:

Senate file No. 16, 200 copies.

Senate file No. 19, 200 copies.

Senate file No. 23, 200 copies.

Senate file No. 64, 200 copies.

Senate file No. 94, 200 copies.

Senate file No. 96, 200 copies.

Senate file No. 110, 200 copies.

Senate file No. 124, 200 copies.

Senate file No. 39, 200 copies.

Senate file No. 61, 200 copies.

Senate file No. 218, 400 copies.

A. B. FUNK,
Chairman Printing Committee.

Senator Woolson offered the following resolution:

Resolved, That the Governor's biennial message and inaugural address be now taken up and the subjects therein presented be referred to the appropriate committees, etc.

To Ways and Means—Finance, assessment and taxation, city and county treasure and county treasurers.

To Judiciary—Crime, divorces, attorney-general, juries, constitutional convention, district judges, notarial commissions, reprinting statutes.

To Appropriations—The schedule of requests for appropriations.

To Suppression of Intemperance—Temperance, crime.

To Schools—Public schools, free text-books, Tama county Indians, school fund, John Tolman school land.

To Railways—Railroads, fencing tracks, telegraph poles.

To Agriculture—Agriculture, improved stock breeders' association, dairy commissioner, veterinary surgeon, hog cholera, weather service, agricultural institutes.

To Insurance—Insurance, insurance department.

To Labor—Labor statistics.

To Educational Institutions—University, agricultural college, normal school.

To Charitable Institutions—Hospital for insane and visiting committee, institution for feeble-minded, soldiers' orphans' home, institute for deaf and dumb, college for blind, home for adult blind.

To Public Health—Board of health, board of dental examiners.

To Mines and Mining—Mine inspector, mine escapes.

To Highways—Roads and highways.

To Constitutional Amendments and Suffrage—Suffrage for women.

To Elections—Australian ballot system, biennial elections.

To Banks—Banks.

To Printing—Printing and binding, biennial reports.

To Commerce—Oil Inspection, Boat Inspection, deep harbor movement, postal telegraph system.

To Penitentiary and Pardons—State Penitentiaries, Prisoners' Aid Association, pardons, suspension, State Industrial Schools.

To Senatorial and Representative Districts—Reducing number of districts,

To Public Buildings—Public buildings and property, Capitol grounds.

To Manufactures—Manufactures.

To Military—Soldiers' Home, National Guards, war claims, insane at Soldiers' Home and compensation for Trustees.

To Horticulture and Forestry—Horticultural Society.

To Fish and Game—Fish Commissioner.

To Library—State Library, Aldrich collection, State Historical Society.

To Public Lands—Land Department, Des Moines river lands.

Resolved, further, That the Governor's messages touching applications with reference to sentences of imprisonment for life in the penitentiaries of the State, and list of pardons, etc., granted, be taken up and referred to the Committee on Penitentiaries and Pardons.

Senator Bolter moved that the resolutions be adopted.

Carried.

Senator Seeds moved to take up his resolution relative to limiting the length of speeches in the Senate.

Carried.

The question being on the adoption of the resolution, it was adopted.

HOUSE MESSAGES.

On motion of Senator Gatch, the House message relative to Senate file No. 172, a bill for an act to extend the limits of cities and for other purposes incident thereto, was taken up.

Senator Gatch moved that the Senate concur in the first amendment proposed by the House.

Pending which, on motion of Senator Meservey, the special order set for 10:30 o'clock A. M., was postponed for one hour. The question now recurring to concur in the first House amendment.

On the question, shall the amendment be concurred in?

The yeas were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Bills Bolter, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kent, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Woolson—45.

The nays were:

Senators Kelly—1

Absent or not voting:

Senators Brower, Finn, Lawrence, Wolfe—4.

So the amendment was concurred in.

Senator Kelly thus explained his vote:

MR PRESIDENT—The Constitution of the State of Iowa provides that no bill of attainder shall be passed by the legislature, and while the amendment now under consideration is not in express terms such a measure, yet in my judgment the amendment points so closely in that direction that I cannot consent to give it my support. I vote no.

M. J. KELLY, *Senator 28th District.*

The question now being, shall the second amendment proposed by the House be concurred in.

The yeas were:

Senators Bailey, Ballingall, Barnett, Barrett, Bills, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kelly, Kent, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins,

Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Woolson—44.

The nays were none.

Absent or not voting.

Senators Bayless, Bolter, Brower, Kegler, Lawrence, Wolfe—6.

So the amendment was concurred in.

HOUSE MESSAGE.

On motion of Senator Stewart the Senate took up House message relative to House file No. 1, a bill for an act to legalize the annexation of certain territory to the town of What Cheer, in Keokuk county.

Read first and second times, and on motion of Senator Davidson, it was referred to the Committee on Judiciary.

Senator Funk presented the report of the Committee to visit the Institution for the feeble minded Children at Glenwood.

Passed on file and ordered printed.

Senator Harsh, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate file No. 188, a bill for an act concerning the printing of the biennial report of the Commissioner of the Bureau of Labor Statistics, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting in third line of section one of original bill, after the word "copies," the words, "where said word first occurs in said seventeenth line," and that when so amended the bill do pass.

J. B. HARSH, *Chairman*.

Ordered passed on file.

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 Senate file No. 42, a bill for an act conferring upon the women the right to vote at school elections, beg leave to report that they have had the same under consideration and that a majority of the Committee have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

ROBT G. REINIGER, *Chairman*.

Ordered passed on file.

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 Senate file No. 15, a bill for an act providing for the submission of the question of calling a constitutional convention to the qualified

electors of the State, as provided by section three (3), article ten (10) of the constitution 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 with the recommendation that the bill do pass.

ROBT G. REINIGER, *Chairman.*

Ordered passed on file.

The hour having arrived for consideration of the special order, being Joint Resolution No. 2, relative to removing some of the burdens from agriculture, it was taken up.

The question being on the adoption of the amendment to the substitute, offered by Senator Mack, it was withdrawn.

The question now recurring on the adoption of the substitute, offered by Senator Weidman, Senator Price moved to amend the substitute by striking out the preamble.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barrett, Caldwell, Clyde, Davidson, Dungan, Finn, Funk, Hanchett, Harsh, Mack, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Linn, Smith of Wright, Vale, Woolson—23.

The nays were:

Senators Ballingall, Barnett, Bills, Bolter, Cassatt, Cleveland, Dodge, Engle, Gobble, Groneweg, Kegler, Kelly, Kent, Mattoon, Mosnat, Rich, Schmidt, Shields, Stewart, Taylor, Weidman—21.

Absent or not voting:

Senators Bayless, Brower, Gatch, Lawrence, McVay, Wolfe—6.

So the amendment was adopted.

The hour having arrived for consideration of the special order, it being resolution by Senator Davidson relative to the amount of levy of tax for State purposes, it was on motion of Senator Davidson passed over until 10:30 o'clock A. M. to-morrow, and made a special order for that hour.

The Senate resumed consideration of the matter under discussion at the time the last special order was announced, the question being on the adoption of the substitute offered by Senator Weidman as amended.

Senator Barnett moved the previous question, which was not seconded.

Senator Bayless moved to lay the resolution and amendments on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Davidson, Hanchett, Perkins, Weidman—5.

The nays were:

Senators Bailey, Ballingall, Barnett, Barrett, Bills, Bolter, Caldwell, Cassatt, Cleveland, Clyde, Dodge, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Kent, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Price, Reiniger, Rich, Schmidt, Seeds, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale—40.

Absent or not voting:

Senators Brower, Lawrence, Shields, Wolfe, Woolson—5.

So the motion was lost.

Senator Weidman thus explained his vote:

MR. PRESIDENT—I desire to explain my reasons for voting to table this question:

First, we were not elected to revise the tariff schedules but rather to enact laws, and as precious time is being wasted that will tend to defeat the school book legislation and other laws, I therefore vote yea.

THOS. WEIDMAN, *Senator, 8th District.*

Senator Bayless thus explained his vote:

In explanation of my vote I desire to say that I am in favor of the resolution, but too much time is being consumed at this late stage of the session, when important business is before this body.

F. D. BAYLESS, *Senator, 36th District.*

On motion of Senator Stewart, Senator Reiniger was granted ten minutes additional time in which to speak.

Senator Finn moved the previous question, which was seconded.

The question now was, shall the main question be put?

It was ordered.

The question now being shall the substitute offered by Senator Weidman as amended be adopted? On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barrett, Caldwell, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Hanchett, Harsh, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Linn, Smith of Wright, Stewart, Vale, Weidman, Woolson—27.

The nays were:

Senators Ballingall, Barnett, Bayless, Bills, Bolter, Cassatt, Dodge, Engle, Gobble, Groneweg, Kegler, Kent, Mattoon, Mosnat, Schmidt, Shields, Taylor—17.

Absent or not voting:

Senators Brower, Cleveland, Kelly, Lawrence, Rich, and Wolfe—6.
So the substitute was adopted.

Senator Taylor thus explained his vote:

I vote against the substitute as amended taking the place of Joint Resolution No. 2, for the reason it assigns no reason to our members of Congress why we desire the removal of the tariff from jute and sisal grass. Believing Joint Resolution No. 2 is preferable in this respect, I vote against the substitute of the Senator from Montgomery.

W. H. TAYLOR, *Senator Third District.*

Senator Taylor moved to amend by adding the following: "That the Secretary of State be required to transmit a copy of this resolution to each of our representatives in Congress."

Adopted.

The question now being on the passage of the joint resolution as amended.

The rule was suspended and the joint resolution was read a third time.

On the question, shall the joint resolution pass?

The yeas were:

Senators, Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cassatt, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kent, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Woolson—44.

The nays were none.

Absent or not voting:

Senators Brower, Cleveland, Kelly, Lawrence, Rich, Wolfe—6.

Senator Woolson moved to amend the title so it shall read "joint resolution No. 2, relative to placing jute and sisal grass on the free list."

Adopted.

So the joint resolution was adopted, and the title as amended was agreed to.

Senator Taylor thus explained his vote:

I vote "yes," believing it better to accept a half loaf than no bread at all.

W. H. TAYLOR, *Senator Third District.*

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA, }
EXECUTIVE OFFICE, }
DES MOINES, March 11, 1890. }

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, Joint Resolution No. 3, relative to the construction of a canal from the Mississippi River to the Illinois River at Hennepin in the State of Illinois.

Also, Joint Resolution No. 4, relative to the arrears of pensions.

FRED'K. W. HOSSFELD, *Private Secretary*.

Senator Seeds moved that the Senate do now adjourn until 9 o'clock A. M., to-morrow.

Senator Woolson moved to amend by making the hour 10 o'clock.

Adopted.

The original motion as amended was adopted and the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, March 13, 1890. }

Senate met in regular session at 10 o'clock A. M.

Lieutenant Governor Poyneer in the chair.

Prayer by Rev. A. W. Stark.

PETITIONS AND MEMORIALS.

Senator Dungan presented petition of James Robinson, John Haddon and 451 other miners of Lucas county asking for payment of wages at least twice a month, and for other laws for the benefit of miners.

Referred to Committee on Mines and Mining.

Senator Bayless presented petition of 100 citizens of Delaware and Clayton counties favoring a law prohibiting sale of tobacco to minors.

Referred to Committee on Public Health.

Senator Mattoon presented petition of Wm. Dooley and twelve other voters—Lille Dooley and 17 other non-voters of Fayette county, asking for no change in the prohibitory law.

Referred to Committee on Public Health.

Senator Mattoon presented memorial of Local Assembly No. 9758 K. of L., Waudena, Iowa, asking legislation for free text-books, district, township ownership, and on other subjects.

Referred to Committee on Labor.

Senator Bills presented petition of Wm. Whitmore, Rebecca W. Blodgett, Chauncey Bates, M. H. Walker and 144 other voters, women and mothers, of Jones county, asking retention of the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Seeds presented memorial of Shelby Norman Post No. 231, G. A. R., against soldiers' monument and favoring hospital at Marshalltown.

Referred to Committee on Military.

Senator Hanchett presented memorial of Local Assembly No. 9385, Knights of Labor, Waverly, Iowa, asking for legislation favoring free district township ownership of text-books and on other subjects.

Referred to Committee on Schools.

Senator Perkins presented petition of Local Assembly No. 8311, Knights of Labor, Sidney, same subject.

Placed on file.

Senator Mack presented petition of B. H. Harkness and 60 others of Humboldt county, favoring retention of present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Parrott presented petition of faculty and students of the State Normal School at Cedar Falls asking for a law prohibiting the sale of tobacco to minors.

Referred to Committee on Public Health.

Senator Meservey presented petition of M. Dice and 49 others of Cherokee county, asking for no repeal of the present liquor law..

Referred to Committee on Suppression of Intemperance.

Senator Meservey presented petition of C. A. Spring, Sr., and 78 others of Le Mars, Plymouth county, asking for a law prohibiting the sale of tobacco to minors.

Referred to Committee on Public Health.

Senator Reiniger presented petition of manufacturers of Charles City, Iowa, protesting against proposed legislation creating Steam Boiler Inspectors.

Referred to Committee on Commerce.

Senator Ballingall presented petition of Mrs. J. A. Burnham and 68 others of Ottumwa, Iowa, against the sale of tobacco to minors.

Referred to Committee on Public Health.

Senator Cleveland presented petition of Mrs. P. B. Brown and others of Shelby county, asking for a law prohibiting the sale of tobacco to minors.

Referred to Committee on Public Health.

Senator Clyde presented petition of Alonzo Abernethy and 282 others of Osage, Mitchell county, in favor of woman suffrage.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Smith of Wright presented petition of 70 voters of Wright county, in favor of State uniformity of school books.

Referred to Committee on Schools.

Senator Smith of Wright presented petition of 140 citizens of Hardin county, asking for reduction instead of increase in appropriations for State institutions; also reduction in State levy.

Referred to Committee on Ways and Means.

Senator Funk presented petition of W. H. Mills and 34 others of Kossuth county, asking the legislature not to repeal the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Weidman presented petition of J. T. Anderson, Geo. Hob-

son and 40 other citizens of Montgomery county, against the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Price presented petition of M. B. Barnett and 72 voters of Earlham, Madison county, against repeal of the prohibitory law.

Also, petition of Maria Barnett and 70 other women of Earlham, Madison county, on same subject.

Referred to Committee on Suppression of Intemperance.

Senator Gatch presented petition of Samuel W. Evans and 65 other citizens of Des Moines, asking for the passage of Senate files Nos. 72 and 134.

Referred to Committee on Mines and Mining.

Senator Gobble presented petition of Silas Jackson Post No. 225, West Liberty, Iowa, asking for a Hospital at Marshalltown.

Referred to Committee on Appropriations.

Senator Gobble presented petition of manufacturers in Muscatine and Davenport, protesting against the passage of the boiler inspection bill.

Referred to Committee on Commerce.

Senator Kelly presented petition of George Carver and 22 voters of Marengo, Iowa, and Mrs. M. A. Talbot and 50 other ladies of the same place, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Cassatt presented petition of T. M. Wright, O. C. Herrington, B. T. Mace and 59 other voters of Marion county, also 26 adult women and mothers of Monroe county, against repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Cassatt presented petition of B. F. Kimbler and 30 others of Monroe county, against selling tobacco to miners.

Referred to Committee on Public Health.

Senator Cassatt presented memorial of local assembly No. 2709, Knights of Labor, favoring district ownership of text-books free to pupils, and other legislation.

Referred to Committee on Mines and Mining.

Senator Mosnat presented petition of J. Ditzler and 49 others, of Benton county, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Woolson presented petition of J. A. Robinson and 27 other voters, also mothers and adult women of Clay, Washington county, Iowa, for a law prohibiting sale of tobacco to minors.

Referred to Committee on Public Health.

Senator McVay presented petition of Local Assembly No. 2409 of Knights of Labor, at Webster City, favoring district ownership of

text-books to be furnished free to pupils, and asking for the passage of bills on other subjects.

Placed on file.

Senator Barnett presented petition of Bryson, Eikenberry & Co. and five other mill and elevator owners and operators of Warren county, protesting against the passage of the bill providing for the inspection of boilers and engines.

Referred to Committee on Commerce.

Senator Bailey presented petition of L. J. Antrim and 25 voters of Hesper, Iowa; Florence G. Burt and 27 non-voters of Hesper, Winneshiek county, asking that the prohibitory law be not repealed.

Referred to Committee on Suppression of Intemperance.

Senator McCoy presented petition of No. 446, Leighton K. of L., petitioning for various laws regarding text-books and other subjects.

Referred to Committee on Schools.

Senator Rich presented petition of M. L. Steele and 141 others of Greene county, and 38 citizens of Sac county, all protesting against the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Harsh presented petition of C. A. Moore and 8 other voters of Beaconsfield, E. Long and 27 non-voters of Beaconsfield, Ringgold county, protesting against repeal of prohibition.

Referred to Committee on Public Health.

Senator Mills presented petition of W. M. Bigler, Ernest Shelton, Enoch Lewis, C. H. Clendenon, Delia M. Waterbury and 712 other citizens of Marshall county, against repeal of prohibitory law.

Referred to Committee on Public Health.

Senator Vale presented memorial of W. C. Harper Post G. A. R., Van Buren county, against soldiers' monument and in favor of hospital.

Referred to Committee on Appropriations.

Senator Vale presented petition of G. W. Jack, R. E. Allen and 141 others of Van Buren, Henry and Lee counties, and Mrs. E. Carter and 75 other ladies of same counties, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Stewart, by request, presented petition of Fisk P. Brewer, Stephen Clendenon and others, of Poweshiek, Keokuk and Mahaska counties, favoring law prohibiting sale of tobacco to minors.

Referred to Committee on Public Health.

Senator Finn presented petition of P. Andrews and 22 others of Corning, Iowa, A. F. Joy and 24 others, of Nevinville, favoring law prohibiting sale of tobacco to minors.

Referred to Committee on Public Health.

Senator Mills presented petition of David Worcester and 72 other citizens of Marshall county, asking enactment of law prohibiting sale of tobacco to minors.

Referred to Committee on Public Health.

INTRODUCTION OF BILLS.

By Senator Mattoon, by request, Senate file No. 285, a bill for an act to amend section 2532, chapter 8, title 11, of McClain's Annotated Code of Iowa, revised (1888) statutes, and section 10, chapter 75, acts of the 18th General Assembly, as amended by section 21, chapter 137, acts of the 19th General Assembly, and section 3, chapter 83, acts of the 21st General Assembly, concerning itinerent vendors of drugs, license and appropriation.

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

By Senator Stewart, Senate file No. 286, a bill for an act to exempt honorably discharged soldiers and sailors from payment of county poll tax.

Read first and second times and referred to the Committee on Military.

By Senator Cassatt, Senate file No. 287, a bill for an act to provide against the violation of any breach or warranty in a policy of fire insurance.

Read first and second times and referred to the Committee on Insurance.

By Senator Cassatt, Senate file No. 288, a bill for an act to regulate and define the rates of telegraph companies within the State of Iowa.

Read first and second times and referred to the Committee on Corporations.

By Senator Caldwell, Senate file No. 289, a bill for an act to amend section 1776, as amended by chapter 143 of the laws of 1878.

Read first and second times, and referred to the Committee on Schools.

By Senator Hanchett, by request, Senate file No. 290, a bill for an act making an appropriation to reimburse P. A. Van Tassel, of Indianola, Iowa, as agent for the State of Iowa, for expenses incurred in a bona fide effort to arrest and return one W. D. Searles, a fugitive from justice.

Read first and second times, and referred to the Committee on Claims.

By Senator Rich, Senate file No. 291, a bill for an act to protect stock breeders within the State of Iowa.

Read first and second times and referred to the Committee on Agriculture.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, it being a resolution offered by Senator Davidson, relative to reducing the tax levy for State purposes to two mills, it was taken up.

Senator Kelly offered the following amendment to the resolution by adding thereto the following:

"Should it be possible to do so without serious damage to State institutions."

Pending the consideration of which the journal of March 12 was corrected and approved.

On motion of Senator Parrott the Committee on Printing was instructed to confer with the State Printer relative to improving the proof-reading on the printed journal.

Senator Bayless presented the report of the Joint Committee to visit the Southwestern Hospital for the Insane.

Passed on file and ordered printed.

INTRODUCTION OF BILLS.

By Senator Dodge, Senate file No. 292, a bill for an act to provide for printing and distributing ballots at the public expense and to regulate voting at State and other elections.

Read first and second times and referred to the Committee on Elections.

By Senator Smith of Linn, Senate file No. 293, a bill for an act authorizing school district townships and independent school districts to purchase text-books and supplies and sell the same to the pupils in the schools at cost.

Read first and second times and referred to the Committee on Schools.

By Senator Dungan, Senate file No. 294, a bill for an act defining the rights of mutual benefit associations and the members thereof.

Read first and second times and referred to the Committee on Insurance.

PETITIONS AND MEMORIALS.

Senator Smith of Wright presented petition of Levina Dudley, Lydia E. McConnell and 103 other women of Hardin county, favoring law prohibiting sale of tobacco to minors.

Referred to Committee on Public Health.

Senator Smith of Wright presented petition of A. A. Harris and 165 others of Eldora, Hardin county, against the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

REPORTS OF COMMITTEES.

Senator Kent, 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. 51, a bill for an act for the protection and preservation of fish, and repealing sections 1, 2, 3, 4, 6, 7, 8, 9, 10 and 11 of chapter 50, acts of the Fifteenth General Assembly, chapter 70, acts of the Sixteenth General Assembly, sections 3, 4, 5, 6, 7 and 8 of chapter 80, acts of the Seventeenth General Assembly, chapter 92, acts of the Eighteenth General Assembly, and chapter 9, 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 the bill be amended as follows:

Strike from section 4 all after the word "act" in third line of printed bill. Add after the word "fine" in line 4 of section 5 the words "and costs are paid." Strike out sections 12 and 13. Number section 14 of printed bill as section 12, and add to same the following: "Nothing in this act shall be construed as prohibiting any citizen from instituting legal proceedings for the enforcement of any provision hereof." Insert the following as

SEC. 13. It shall be unlawful for any person to fish for, or catch in any manner, any fish in any stream in this State which has been stocked with breeding trout, (1 or 2 year old females) by this State, or the United States commission, or by private individuals for one year from date of said stocking; due notice of said stocking to be posted wherever a public highway crosses such stream.

Renumber sections 15 and 16 of printed bill to conform to these amendments, and as so amended the bill do pass.

WM. G. KENT, *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. 68, a bill for an act to amend section 4215 of the Code of Iowa, relating to arrests by private persons, beg leave to report 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.*

Senator Vale moved that the bill be referred to the Committee on Agriculture. Carried.

Senator B. R. Vale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 79, a bill for an act to repeal chapter 45 of the laws of the Seventeenth

General Assembly, and to enact a substitute therefor, to establish a weather and crop service, and for the collection and dissemination of crop statistics and meteorological data, 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 inserting in the ninth line of section 4 of the printed bill, after the word "said" the words "bulletins and" and by striking out the number "1000" and inserting number "3000," followed by the word "each," and when so amended that the bill do pass.

B. R. VALE, *Chairman*.

Ordered passed on file.

Senator Smith of Linn, 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. 113, a bill for an act to amend chapter 16, laws of the Twenty-second General Assembly, entitled: An act granting additional powers to certain cities organized under special charters, and cities of the second class having over seven thousand inhabitants, beg leave to report 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.

J. H. SMITH, *Chairman*.

Ordered passed on file.

Senator Smith of Linn, 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. 46, 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, beg leave to report 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 words "ten citizens" in line one of section 2, and inserting the words "one-third of the legal voters, as shown by the poll lists of the last preceding general election," in lieu thereof.

Also, by inserting the words "tax not to exceed" after the letter "a" in line 2 of section 3.

Also, by inserting the letter "s" after the word "mill" in line 2 of section 3.

Also, by striking out the word "tax" after the word "mills" in line 2 of section 3.

Also, by inserting the words "on the dollar" after the word "mills" in line 2 of section 3.

Also, by striking out the words "as herein provided" in line 4 of section 3.

Also, by striking out the word "can" in line 2 of section 4, and inserting the word "may" in lieu thereof, and when so amended the bill do pass.

J. H. SMITH, *Chairman*.

Ordered passed file.

Senator Warren S. 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. 30, a bill for an act to amend section 303 of the Code, empowering the county board 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 it do pass.

WARREN S. DUNGAN, *Chairman*.

Ordered passed on file.

Senator Davidson, 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 Senate file No. 172, a bill for an act to extend the limits of cities and for other purposes incident thereto.

D. B. DAVIDSON, *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. 5, a bill for an act to recognize and establish Labor Day, being the second day of September, as a legal holiday, beg leave to report 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 in lieu thereof, and that as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Committee substitute for Senate file No. 5 by Dodge:

A BILL

FOR AN ACT TO AMEND SECTION 2094 OF THE CODE OF 1873, ESTABLISHING
"LABOR DAY" AS A LEGAL HOLIDAY.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 2094 of the Code of Iowa is hereby amended by inserting therein, after the words "Fourth day of July" the following: "The first Monday in September to be known as 'Labor 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. 1, a bill for an act to legalize the annexation of certain territory to the town of What Cheer, in Keokuk 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 do pass.

JNO. S. WOOLSON, *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. 211, a bill for an act to legalize the levy of certain taxes for certain years, in Carroll 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.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 223, a bill for an act to provide for filling vacancy in the office of county Recorder, beg leave to report 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 Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 181, a bill for an act to prevent unnecessary costs in criminal prosecutions, beg leave to report 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 Woolson, 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 repeal section thirty-eight hundred and twelve (3812) of the Code, and 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.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred a petition from citizens of Charles City, Iowa, asking additional legislation regulating peddlers, beg leave to report 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 petition be referred to the Committee on Commerce.

JNO. S. WOOLSON, *Chairman*.

So referred.

Senator W. S. 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. 185, a bill for an act to amend section 9, chapter 21, acts of the Twentieth General Assembly as amended by section 2, chapter 56, acts of the Twenty-second General Assembly relative to escape shafts in coal 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 it do pass.

WARREN S. DUNGAN, *Chairman*.

Ordered passed on file.

A minority of the Committee on Constitutional Amendments and Suffrage submitted the following report:

MR. PRESIDENT—The undersigned, members of the Committee on Constitutional Amendments and Suffrage, respectfully beg leave to file a minority report and recommend that Senate file No. 42, a bill for an act conferring upon women the right to vote at school elections, be indefinitely postponed.

J. M. GOBBLE,

J. H. SHIELDS,

Minority of Committee on Constitutional Amendment and Suffrage.

On motion of Senator Stewart House file No. 1, a bill for an act to legalize the annexation of certain territory to the town of What Cheer, in Keokuk county, with report of committee recommending that it do pass, was taken up and considered.

Senator Stewart 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Cassatt, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Harsh, Hanchett, Kegler, Kelly, Kent, Mack, Mattoon, McVay, Meservey, Mills, Mosnat, Parrott, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vail, Weidman and Woolson—43.

The nays were—none:

Absent or not voting:

Senators Brower, Caldwell, Finn, Lawrence, McCoy, Perkins 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 am directed to 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. 172.

HENRY S. WILCOX, *Chief Clerk*.

The President announced as the special committee to whom shall be referred the resolutions and suggestions of the Pioneer Law Makers' Association, relative to taking steps to preserve the documents of the written and printed history of Iowa as a Territory and a State, Senators Dungan, Bolter, Woolson, Dodge and Clyde.

HOUSE MESSAGES.

Senator Hanchett moved to take up the House concurrent resolution relative to the election of officers and trustees of certain State institutions.

Carried.

The resolution was concurred in.

On motion of Senator Bayless the resolution by Senator Davidson, relative to reducing the State tax levy to two mills, with amendments proposed, was made a special order for 10 o'clock A. M. to-morrow.

On motion of Senator Bayless the Senate adjourned until 9 o'clock A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, March 14, 1890. }

Senate met in regular session at 10 o'clock A. M.
Lieut. Gov. Poyneer in the chair.

PETITIONS AND MEMORIALS.

Senator Parrott presented petitions of W. W. Bartlett, J. J. Toller-ton, D. M. Butterfield and 793 other citizens of Black Hawk county, asking that the present prohibitory law be retained without modifica-tion.

Referred to Committee on Public Health.

Senator McCoy presented petition of Joseph Coleman and 86 others, citizens of Mahaska county, asking that the present prohibitory law be not repealed or modified.

Referred to Committee on Public Health.

Senator Mills presented petitions of Martha Perry, W. Alexander and 35 others, citizens of Marshall county, against the repeal of the present Iowa prohibitory liquor law.

Referred to Committee on Suppression of Intemperance.

Senator Mosnat presented petition of A. C. Fowler and 108 others of Benton county, against repeal of prohibitory law.

Referred to Committee on Public Health.

Senator Bayless presented petition of E. M. Palmer and 173 others of Clayton county, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Mack presented petition of 29 voters, and 38 non-voters of Buena Vista county, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Finn presented memorial of Local Assembly No. 8795, of New Market, Iowa, favoring district township ownership of text-books free, and asking for other legislation.

Passed on file.

Senator Smith of Linn presented petition of J. J. Hall and 67 other citizens of Linn county, asking that the prohibitory law be retained without modification.

Referred to Committee on Public Health.

Senator Smith of Wright presented petitions of E. A. Manning and 48 voters, and 56 non-voters of Hardin county, against the repeal of the present prohibitory liquor law.

Referred to Committee on Suppression of Intemperance.

Senator Weidman presented petition of F. F. Jones and 111 citizens of Villisca and vicinity, against the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Seeds presented petitions of R. L. Wallace and 102 others, and Mrs. J. S. Keith and 22 others, non-voters of Delaware county, against repeal of prohibitory liquor law.

Referred to Committee on Suppression of Intemperance.

Senator Kegler presented petition of 163 citizens of Jackson county, against any change or repeal of the prohibitory law.

Referred to Committee on Public Health.

Senator McVay presented petition of Theo. Dangerfield and 25 others of Calhoun county, against the repeal of the prohibitory law.

Referred to Committee on Public Health.

Senator Woolson presented petitions of M. D. Brown and 88 others, J. A. Poster and 132 others of Henry and Washington counties, against any repeal of the prohibitory law.

Referred to Committee on Public Health.

Senator Gobble presented petition of Mrs. H. E. Bacon and 117 other non-voters; also petition of Aaron Park and 78 other voters, all of Muscatine county, against repeal of prohibitory law.

Referred to Committee on Public Health.

Senator Price presented petition of J. D. Neff, C. L. Marston and 64 others, asking retention of the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Mattoon presented petition of Jos. Burnham, Flora Bowder and 72 others, voters and non-voters of Allamakee county, asking that the present prohibitory law be retained.

Referred to Committee on Public Health.

Senator Kent presented petitions of H. V. Tull, Mrs. Clara McCanan, Mary B. Hancock, R. N. Joy, Anthony Stoddard, Mary H. Blood and 283 other citizens of Lee county, favoring the retention of the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Kelly presented petition of T. O. Thomas and 88 others, citizens of Johnson county, asking that the prohibitory law be maintained.

Referred to Committee on Suppression of Intemperance.

Senator Barrett presented petition of McKenzie Post No. 72, G. A.

R., Sheldon, Iowa, against erection of a soldiers' monument and in favor of a hospital at Marshalltown.

Referred to the Committee on Military.

Senator Davidson presented memorial of Local Assembly No. 4493 Knights of Labor, Boonsboro, Iowa, favoring district ownership of text-books to be furnished free to the pupils, and other subjects.

Referred to Committee on Elections.

Senator Bills presented petition of John Swigart and 301 others, and Mrs. Maggie McL. Milone and 7 others of Jones county, and and Elmer R. Sloat and 270 others, citizens of Cedar County, asking that the present prohibitory liquor law be not repealed.

Referred to Committee on Public Health.

Senator Reiniger presented petition of Local Assembly No. 1054, Knights of Labor, Rockford, Iowa, favoring district township free text-books, and on other subjects.

Referred to Committee on Retrenchment and Reform.

INTRODUCTION OF BILLS.

By Senator Ballingall, for inauguration committee, Senate file No. 295, a bill for an act appropriating money to defray the expenses of the inauguration ceremonies.

Read first and second times, and on motion of Senator Gatch, it 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 Bailey, Ballingall, Barnett, Bayless, Bills, Caldwell, Clyde, Davidson, Dodge, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—42.

The nays were none.

Absent or not voting:

Senators Barrett, Bolter, Brower, Cassatt, Cleveland, Finn, Lawrence, Seeds—8.

So the bill passed and the title was agreed to.

By Senator Groneweg, Senate file No. 296, a bill for an act to amend sections 1695 and 1696, chapter 7, title 12 of the Code, relating to the Iowa Institution for the Deaf and Dumb.

Read first and second times and referred to the Committee on Appropriations.

By Senator Funk, Senate file No. 297, a bill for an act to amend section 303 of the Code of 1873, relating to the powers of the board of supervisors.

Read first and second times and referred to the Committee on Judiciary.

By Senator Bailey, Senate file No. 298, a bill for an act to amend section 1741 of the Code of 1873, empowering the secretaries of school boards to administer the oath of office in certain cases.

Read first and second times and referred to the Committee on Schools.

By Senator Barrett, Senate file No. 299, a bill for an act to legalize the incorporation of the town of Rock Valley, Sioux county, Iowa.

Read first and second times and referred to the Committee on Judiciary.

By Senator Hanchett, Senate file No. 300, a bill for an act establishing county uniformity of school text-books, creating a board of school book commissioners, defining the duties thereof, fixing the compensation of said board and providing for retrenchment and reform in the purchase and supplying of school text-books for use in the public schools of the State.

Read first and second times and referred to the Committee on Retrenchment and Reform.

By Senator Wolfe, Senate file No. 301, a bill for an act legalizing a certain action of the board of supervisors of Clinton county, Iowa.

Read first and second times and on motion of Senator Wolfe it was taken up and considered.

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:

Bailey, Ballingall, Barnett, Barrett, Bills, Bolter, Caldwell, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Reiniger, Rich, Schmidt, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson.

The nays were none.

Absent or not voting:

Senators Bayless, Brower, Cassatt, Cleveland, Clyde, Lawrence, Mack, Price, Seeds—9.

So the bill passed and the title was agreed to.

On motion of Senator Reiniger, Senate file No. 99, a bill for an act

legalizing the acts of the council of the city of Charles City, Floyd county, Iowa, legalizing the ordinances and resolutions passed and adopted for the government of said city, with the report of the committee recommending that it do pass, was taken up and considered.

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 Bailey, Ballingall, Barrett, Bayless, Bills, Bolter, Cleveland, Davidson, Dungan, Engle, Finn, Funk, Gatch, Gobble, Grone-
weg, Hanchett, Harsh, Kegler, Kelly, Kent, Mack, Mattoon, McCoy,
McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger,
Rich, Schmidt, Smith of Linn, Smith of Wright, Stewart, Taylor,
Vale, Weidman, Wolfe, Woolson—41.

The nays were none.

Absent or not voting:

Senators Barnett, Brower, Caldwell, Cassatt, Clyde, Dodge, Lawrence, Seeds, Shields—9.

So the bill passed and title was agreed to.

On motion of Senator Parrott, Senate file No. 176, a bill for an act to amend section 9, chapter 100, laws of the Sixteenth General Assembly, relating to mechanics' liens, with report of Committee recommending indefinite postponement, was taken up, considered, and the report of the Committee was adopted.

INTRODUCTION OF BILLS.

By Senator Barrett, Senate file No. 302, a bill for an act to amend section six (6) of chapter twelve (12), laws of Eighteenth General Assembly, relating to the management of the permanent school fund.

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

By Senator Dungan, chairman of Special Committee, Senate file No. 303, a bill for an act providing for the collection and preservation of historic records and other valuable material pertaining to the history of Iowa, and making appropriation therefor.

Read first and second times and referred to the Committee on Library.

Senator Ballingall introduced joint resolution No. 7, 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 section one (1), article two (2), of the Constitution of the State of

Iowa, is hereby proposed for adoption: Strike out from the second line of said section the words "twenty-ones" and substitute therefor the word "eighteen."

Referred to Committee on Constitutional Amendments and Suffrage.

The hour having arrived for consideration of the special order, it being the resolution offered by Senator Davidson relative to reducing the tax levy for State purposes to two mills, by unanimous consent it was deferred for reports of committees.

REPORTS OF STANDING COMMITTEES.

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. 80, a bill for an act to amend chapter 151, laws of the Eighteenth General Assembly, relating to the State Board of Health and local boards 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 it do pass.

T. J. CALDWELL, *Chairman*.

Passed on file and ordered printed.

The Special Committee, to whom was referred the resolution from Pioneer Law-makers, submitted the following report:

MR. PRESIDENT—Your Special Committee, to whom was referred the memorial of the Pioneer Law Makers' Association of Iowa, relating to the collection and preservation of the historic records of the Territory and State of Iowa, beg leave to report that they have had the same under consideration, and deeming the proposed action on the part of this General Assembly of vital importance towards securing the materials for an accurate and complete history of our State, and believing that prompt action is necessary, have drafted a bill in accordance with the prayer of said memorial, which they herewith submit and recommend its passage.

WARREN S. DUNGAN,

Chairman.

L. R. BOLTER,
JNO. S. WOOLSON,
W. W. DODGE,
J. F. CLYDE,

Committee.

Passed on file.

The following resolutions by the Pioneer Law-makers' Association were ordered spread upon the journal:

WHEREAS, By reason of long neglect and indifference on the part of our former authorities and our citizens, many valuable records, pamphlets and other documents have either been destroyed, lost, or gathered into public libraries abroad; therefore,

Be it resolved, That it is the sense of the Pioneer Law-Makers of Iowa, in session, that the General Assembly be earnestly invited and urged to take immediate

steps to collect and preserve all documents, written or printed, pertaining to the history of the Territory and State of Iowa.

Resolved, That the Committee of Publication is hereby instructed to ask the General Assembly to instruct the State Printer to print, in pamphlet form, for the use of the General Assembly and this association, 2,000 copies of the papers and records of this quadrennial meeting.

Resolved, That as the early history of every State is a matter of great importance, and the historical collection in the State Library known as the "Aldrich Collection," are now, and in coming years will be of great value, and the time and labor necessary to be spent in attending to the same, are more than any private citizen can afford to give without compensation, therefore, we respectfully ask the General Assembly to make a sufficient appropriation therefor.

Resolved, That John F. Duncombe, G. G. Wright and C. C. Nourse are respectfully asked to present this matter to the General Assembly, by bill and memorial, and to secure favorable attention if possible.

Senator Harsh offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That the appropriation committees of the 23d General Assembly be directed to have printed and placed on the desks of members at least five days before a vote is asked passing any appropriation bill, an itemized statement of the amount of each appropriation recommended by said committees.

Passed over under the rule.

Senator Harsh, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate file No. 229, a bill for an act to present the restraint of labor and trade, suppress and prevent trusts, pools, combines and conspiracies and to fix punishment or penalties for formation of trusts, pools, combines and conspiracies, or being connected therewith, 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 by striking out the word "five" and inserting the word "one" in the tenth line of section three of original bill and by inserting in the twelfth line of section three, original bill, after the word "not" the words "less than ten days nor," and by inserting in seventh line of section six, original bill, after the word "company" the word "now," and by inserting, in seventh line of section six, original bill, after the word "State" the words, "or may hereafter be organized," and by striking out in the thirteenth line of section six after the word "of" the word "the," and by striking out all of section six after word "inquiry," in fourteenth line, original bill, and inserting the following: "And after waiting a reasonable time, not to exceed sixty days, for the return of said prescribed form of affidavit, duly executed as herein contemplated, and failing to receive the same, said Secretary shall inform the Attorney-General of said failure of said corporation to comply with the provisions of this section relating to making oath that it is not a member, or connected with any trust, combination or association of stock-holders, as contemplated by this act, and shall at once deliver to said Attorney-General his certificate under

seal of state to that effect, and such certificate shall be taken and accepted in all courts of this State as *prima facie* evidence that said corporation has violated the provisions of sections one and two of this act, and upon hearing had in any court of record having competent jurisdiction, shall, if said corporation be found guilty, revoke its charter and declare its corporate rights forfeited and its corporate existence terminated," and by striking out all of section seven and sections heretofore numbered 8, 9 and 10 be changed to 7, 8 and 9, and that when so amended the bill do pass.

J. B. HARSH, *Chairman*.

Passed on file and ordered printed.

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 concurrent resolution relative to committee to report mileage and expenses of Visiting Committees, and Messrs. Eilers and Soesbe have been appointed on behalf of the House as members of the said committee.

Also, that the House has passed the following concurrent resolution in which the concurrence of the Senate is asked: Relative to instructing Appropriation Committees to estimate appropriations on the basis of a two mill tax.

HENRY S. WILCOX, *Chief Clerk*.

REPORTS OF STANDING COMMITTEES.

Senator Price, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 114, a bill for an act to create an Insurance Department, 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.

RICHARD PRICE, *Chairman*.

Ordered passed on file.

Senator B. R. Vale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 240, a bill for an act to amend section 4962 of the Code of 1873, relative to Canada thistles, beg leave to report 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 re-referred to the Committee on Highways.

B. R. VALE, *Chairman*.

So referred.

Senator B. R. Vale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 184, a bill for an act to provide for the publication of the annual pro-

ceedings of the Iowa State Dairymen's Association, beg leave to report 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 one of section one of the printed bill the words "State Dairymen's," and inserting the words "butter, cheese; and egg," and also to make the same elimination and insertion in the title of the bill, line two, and when so amended that the bill do pass.

B. R. VALE, *Chairman*.

Ordered passed on file.

Senator B. R. Vale, 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 amend chapter one hundred and two (102), of the acts 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 the same be indefinitely postponed.

B. R. Vale, *Chairman*.

Ordered passed on file.

Senator Parrott, 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. 10, a bill for an act to repeal sections one, two, three, four, chapter twelve, of the acts of the Eighteenth General Assembly, relative to the management of the permanent school fund, 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 section one be amended by striking out the word "not" in the first line, and the word "exceed" and the words "nor be less than six" in the second line, and inserting the words "be at the rate of" before the word "seven" in place thereof. Also, by striking out of the second line of section three the words "only five per cent instead of." Also, by striking out the word "five" in the second line of section four, and inserting "six" in place thereof. Also, by striking out section six, and that when so amended the bill do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Senator B. R. Vale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 166, a bill for an act to amend section one, chapter sixteen, laws of the Twenty-second General Assembly, relating to the granting of powers to certain cities, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be re-referred to the Committee on Cities and Towns.

B. R. VALE, *Chairman*.

So referred.

Senator Smith of Wright, from the Committee on Commerce, submitted the following report:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred Senate file No. 55, a bill for an act to amend section number nine hundred and six (906) of the Code, relating to peddlers, beg leave to report 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 the substitute for section one of the bill herewith presented and that when so amended the bill do pass.

W. C. SMITH, *Chairman*.

Ordered passed on file.

Substitute for section 1, Senate file No. 55:

SEC. 1. That section nine hundred and six (906) of the Code, be, and the same is hereby amended, by striking out the words, "not manufactured in this State," now appearing in the second line of said section, and by inserting the word "groceries" after the words "dry goods" and before the words "fancy articles" in the sixth line of said section.

Senator Smith of Wright, from the Committee on Commerce, submitted the following report:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred Senate file No. 24, 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 by majority of committee.

W. C. SMITH, *Chairman*.

Ordered passed on file.

Senator Smith of Wright, from the Committee on Commerce, submitted the following report:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred Senate file No. 88, a bill for an act to amend section 2077 of the Code of Iowa, beg leave to report that they have had same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, by majority of committee.

W. C. SMITH, *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. 33, a bill for an act in relation to school holidays and attendance upon institutes, 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 in lieu thereof, and that when adopted the bill do pass.

G. L. FINN, *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. 44, a bill for an act for the punishment of habitual criminals, beg leave to report 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 Senate file No. 189, covering practically the same ground, has already been reported to the Senate.

JNO. S. WOOLSON, *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. 81, a bill for an act to amend section two thousand two hundred and twenty-three (2223), title fifteen (15), chapter three (3) of the Code, in relation to obtaining divorces, beg leave to report 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 Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 63, 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 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.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 86, a bill for an act to recover money and property lost on games of chance and bets made thereon, beg leave to report 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 Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 87, a bill for an act to amend section 2927 of the Code, providing for bond for costs 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 be indefinitely postponed.

JNO. S. WOOLSON, *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. 102, a bill for an act to amend sections 2 and 3 of chapter 22 of the acts of the 18th General Assembly, relating to reports of expenses of criminal prosecutions, 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.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 151, a bill for an act to amend section 4043 of the Code, relating to lotteries, beg leave to report 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 Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 153, a bill for an act to legalize certain ordinances of the incorporated town of Mitchellville, in the county of Polk and 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 by striking out the last clause of the preamble, to-wit: the words, "and, whereas, said town council is about to compile the several ordinances and transcribe the same upon said record books," also amend by striking out of lines seven and eight of section one the words "when duly transcribed in the ordinance book of said town," and that as so amended the bill do pass.

JNO. S. WOOLSON, *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. 160, a bill for an act to define the crimes of extortion and usury, and to provide adequate punishment for violations, beg leave to report 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 Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 179, a bill for an act to repeal section 3787 of the Code, and to enact a substitute therefor, in relation to fees of 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 the bill be indefinitely postponed.

JNO. S. WOOLSON, *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. 189, a bill for an act to amend section 3902 of the Code of Iowa, and making the second conviction for larceny of property under the value of twenty dollars a felony, beg leave to report that they have had the same under consideration and instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: Amend section 1 by striking from the second and third lines thereof the words "second offense," and inserting instead the words "third or any such offense subsequent thereto;" amend the title by striking from the second line thereof the word "second," and inserting in lieu thereof the words "third and subsequent," and that as so amended the bill do pass.

JNO. S. WOOLSON, *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. 195, 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, beg leave to report 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 Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 220, a bill for an act to amend section seventeen hundred and eighty-one (1781), Code of 1888, 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 amended as follows: Amend by striking out the words "one" and "two," being the second words of sections 1 and 2 respectively, and inserting in lieu thereof the figures "1" and "2;" amend by striking from line seven of section 1 the word "first" and insert the word "second" in lieu thereof; amend the title by striking therefrom the figures "1781," and inserting in lieu thereof the words "of the;" also by striking therefrom the words "of 1888," being the last words of the title; and your committee recommend that as so amended the bill do pass.

JNO. S. WOOLSON, *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. 245, a bill for an act to amend sections 829 and 830 of the Code, relating to appeals from the board of equalization, and making the same applicable to cities 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 bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Pursuant to resolution the Committee on Printing hereby orders reprinted bills as follows:

Senate file No. 25, 200 copies.

Senate file No. 77, 200 copies.

Senate file No. 14, 200 copies.

A. B. FUNK, *Chairman*.

SPECIAL ORDER.

The special order, being the resolution by Senator Davidson, relative to reducing the tax levy to two mills, was taken up.

The question being on the amendment offered by Senator Kelly.

Senator Schmidt moved that the resolution and amendment offered be referred to the Committee on Ways and Means.

Senator Reiniger moved to amend by instructing the committee to report not later than March 20.

Carried.

The question now recurring on the motion of Senator Schmidt as amended to refer to the Ways and Means Committee, it was adopted.

Senator Kegler was granted leave of absence.

HOUSE MESSAGES.

On motion of Senator Woolson the Senate took up House messages.

The House concurrent resolution relative to the tax levy for state purposes was taken up.

Senator Woolson moved to refer the resolution to the Committee on Ways and Means, and that the committee be instructed to report by March 20th.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Barrett, Bayless, Caldwell, Dodge, Dungan, Finn, Funk, Gatch, Groneweg, Hanchett, Kelly, Kent, Mack, McCoy, Meservey, Mills, Mosnat, Parrott, Perkins, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Weidman, Wolfe, Woolson—30.

The nays were:

Senators Barnett, Bills, Bolter, Cassatt, Cleveland, Clyde, Davidson, Engle, Harsh, Mattoon, McVay, Price, Reiniger, Stewart, Taylor, Vale—16.

Absent or not voting:

Senators Brower, Gobble, Kegler, Lawrence—4.

So the motion was carried.

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA, EXECUTIVE OFFICE, }
Des Moines, March 11, 1890. }

MR. PRESIDENT—I am instructed by the Governor to inform you that he has approved, signed and deposited in the office of the Secretary of State, Senate file No. 172, an act to extend the limits of cities and for other purposes incident thereto.

FRED'K. W. HOSSFELD, *Private Secretary.*

INTRODUCTION OF BILLS.

By Senator Gatch, Senate file No. 304, a bill for an act authorizing and directing persons subject to dipsomania or habitual drunkenness to be treated in the insane asylums in the State of Iowa, as insane patients.

Read first and second times and referred to the Committee on Suppression of Intemperance.

By Senator Harsh, Senate file No. 305, a bill for an act to amend section 5, chapter 168, acts of the 20th General Assembly, in relation to admitting certain persons to practice as attorneys in the courts of this State.

Read first and second times and referred to the Committee on Judiciary.

By Senator McCoy, Senate file No. 306, a bill for an act empowering the directors of school districts, townships and independent school

districts, to buy school books and school supplies at the lowest whole-sale or contract prices, and furnish same to pupils at cost.

Read first and second times and referred to the Committee on Schools.

The journal of March 13th was corrected and approved.

RESOLUTIONS.

Senator Reiniger offered the following resolution:

Resolved by the Senate, That no appropriation bill shall be considered by the Senate until the same has been printed, and copies furnished to members and that the appropriation committee be instructed to report appropriations at the earliest day practicable.

Passed over under the rule.

Senator Reiniger offered the following resolution:

Resolved, That the Committee on Compensation of Public Officers be requested to inquire into the matter of the Compensation paid to Superintendents and managers of State Institutions whose compensation is not fixed by law, and the employes of such institutions, and if it finds that inequalities exist, or that legislation is advisable to control or regulate the same, that the committee report by bill or otherwise.

Passed over under the rule.

Senator Bayless moved that the Senate do now adjourn until 9 o'clock, A. M., to-morrow.

Senator Woolson moved to amend by making the hour 10 o'clock A. M.

Carried.

The question now being on the original motion as amended, it was adopted and the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, March 15, 1890. }

Senate met in regular session at 10 o'clock, A. M.

Lieut.-Governor Poyneer in the chair.

Prayer by Rev. B. St. John, Pastor North Park Congregational Church, of Des Moines.

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:

House joint resolution No. 3, entitled a Joint Memorial and Resolution, asking congress to enact a law providing for pensioning certain women enrolled as army nurses. Also that the House has passed House file No. 28, "a bill for an act authorizing certain cities of the first class to issue bonds and to provide for their payment, principal and interest," in which the concurrence of the Senate is asked. Also that the House has concurred in Senate file No. 301, a bill for an act legalizing a certain action of the Board of Supervisors of Clinton county, Iowa, and Senate file No. 99, a bill for an act legalizing the acts, ordinances and resolutions of the council of Charles City, Floyd county, Iowa, in certain cases.

HENRY S. WILCOX, *Chief Clerk.*

PETITIONS AND MEMORIALS.

Senator Smith of Linn presented petition of George B. Douglas and all leading manufacturers of Cedar Rapids, protesting against the passage of a bill providing for appointment of Steam Boiler and Engine Inspectors.

Referred to Committee on Commerce.

Senator Dungan presented petition of O. B. Cobb and 60 others of Wayne county, asking that a private person, having made an arrest, shall upon conviction of the party arrested, receive the same compensation as peace officers.

Referred to Committee on Agriculture.

Senator Mattoon presented petition of Knights of Labor, 10072, Fayette, Fayette county, asking certain reforms.

Referred to Committee on Labor.

Senator Barrett presented petition of J. W. Woods and 20 others of Sioux county, asking a change in the exemption law.

Referred to Committee on Judiciary.

Senator Gatch presented memorial of Des Moines Veteran Tippecanoe Club against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Parrott presented petition of citizens of Grundy county, asking appropriation for relief of Mrs. M. Neat; also from a number of sheriffs and peace officers of the State for same purpose.

Referred to Committee on Claims.

Senator Cleveland presented petition of W. B. Jordan and 280 others of Cass county, against the repeal of prohibitory laws.

Referred to Committee on Suppression of Intemperance.

Senator Cleveland presented memorial of Cass county farmers' alliance in regard to railroad fare, State uniformity of school books and insurance.

Referred to Committee on Insurance.

Senator Cleveland presented petition of L. Waterbury and 98 other citizens of Shelby county, asking that a private person have same fees as an officer for making arrest.

Referred to Committee on Agriculture.

Senator Taylor presented petition of Rev. E. Kinman and 24 other citizens of Davis county, asking compensation in case of arrest by private persons.

Referred to Committee on Agriculture.

Senator Gobble presented petition from jobbers of Waterloo, Burlington, Marshalltown, Oskaloosa, Dubuque, Sioux City, Davenport and Muscatine relative to landlords' liens.

Referred to Committee on Judiciary.

Senator Caldwell presented petition of Fred Hovey and 28 other citizens of Dallas county, asking compensation in case of arrest of private persons.

Referred to Committee on Agriculture.

Senator Lawrence presented petition of F. G. Crosby and 39 other voters; also, petition of Mrs. L. McElheny and 48 adult women and mothers, of Woodbury county, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Groneweg presented petition of A. L. Frizzell and 125 other citizens of Pottawattamie county, asking that private persons be allowed the same fees for making arrests as is now allowed to peace officers.

Referred to Committee on Agriculture.

Senator Dodge presented petition of S. W. Sawtelle and 133 other citi-

zens of Des Moines county, against the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Shields presented petition of Sanctuary Assembly No. 4192, of Dubuque, Iowa, for enactment of laws to carry out certain resolutions of the State Assembly of the Knights of Labor, of the State of Iowa, at Marshalltown.

Referred to Committee on Labor.

Senator Smith of Wright presented petition of S. N. Hinman, Frank Cristie and 24 other tax-payers of Wright county, against the payment of taxes on property the people do not own, and asking that real estate mortgages be taxed.

Referred to Committee on Ways and Means.

Senator Wolfe presented memorial of local assembly 4021, Lyons, Knights of Labor, in favor of Australian system of voting.

Referred to Committee on Labor.

Senator Wolfe presented petition of N. J. Young and 55 other voters, and 44 adult women, of Clinton county, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Price presented petition of C. H. Lewis and 18 other citizens of Madison county, asking that a private person having made an arrest, shall, upon the conviction of the person arrested, receive the same compensation as peace officers.

Referred to Committee on Agriculture.

Senator Harsh presented petition of N. G. Moffitt and 68 others, of Union county, asking compensation in case of arrest by private persons.

Referred to Committee on Agriculture.

Senator Finn presented memorial of Jewitt Post No. 60, G. A. R., endorsing recommendation of commission appointed to devise and report plans for soldiers' monument.

Referred to Committee on Military.

Senator Finn presented petition of D. B. Agnew and 32 other citizens of Adair county, asking compensation in case of arrest by private person.

* Referred to Committee on Agriculture.

Senator Brower presented petition of Mason City Gas and Electric Light Company and others, against passage of Senate file providing for creation of a board of inspectors of steam engines and boilers.

Referred to Committee on Commerce.

Senator Barnett presented remonstrance of Jesse Bryson, Eckenberry & Company and five others, mill owners and operators of War-

ren county, against the bill providing for engine and boiler inspection.

Referred to Committee on Commerce.

INTRODUCTION OF BILLS.

By Senator Meservey, Senate file No. 307, a bill for an act to appropriate a certain sum of money to pay the expense of the joint committee appointed to investigate certain charges against the State University of Iowa.

Read first and second times and referred to the Committee on Appropriations.

By Senator Barrett, Senate file No. 308, a bill for an act to repeal chapter one hundred and eleven, laws of the Nineteenth General Assembly.

Read first and second times and referred to the Committee on Judiciary.

By Senator Smith of Linn, Senate file No. 309, a bill for an act to repeal section 2, of chapter 68, of the acts of the 15th General Assembly of the State of Iowa, and to amend said chapter 68, in relation to rates of passenger fares upon railroads.

Read first and second times and referred to the Committee on Railways.

By Senator Smith of Linn, Senate file No. 310, a bill for act to amend section one (1), chapter 32, acts of the Twenty-second General Assembly, relative to the construction of viaducts.

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

By Senator Wolfe, Senate file No. 311, a bill for an act permitting religious instruction in certain charitable institutions.

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

By Senator Parrott, Senate file No. 312, a bill for an act in relation to the printing, binding and distribution of public reports.

Read first and second times and referred to the Committee on Printing.

By Senator Mattoon, by request, Senate file No. 313, a bill for an act to amend section one (1), chapter 137, laws of the Twenty-second General Assembly, relative to registered pharmacists.

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

By Senator Gobble, Senate file No. 315, a bill for an act to amend section two thousand and seventeen (2017) of chapter nine (9), of the Code of 1873, relative to landlords' liens.

Read first and second times and referred to the Committee on Judiciary.

By Senator Gatch, Senate file No. 215, a bill for an act entitled an act relating to certificates of membership in Mutual Benefit Associations.

Read first and second times and referred to the Committee on Insurance.

By Senator Stewart, Senate file No. 316, a bill for an act providing for the appointment of judges and clerks of election, and to repeal sections 606, 607 and 608 of the Code of 1873.

Read first and second times and referred to the Committee on Judiciary.

Senators Reiniger, Engle, Hanchett, Mosnatt and Kelly were excused indefinitely.

Senator Dungan offered the following resolution:

Resolved, That the address of Hon. Theodore S. Parvin, as a representative of the Iowa Pioneer Law-Makers' Union, delivered in the Senate, on the 1st inst., be entered on the journal of the Senate.

Adopted.

PROF. PARVIN'S ADDRESS.

Mr. President, and Senators of the Twenty-third General Assembly of Iowa:

The Pioneer Law-Makers of Iowa, Territory and State, is an association of gentlemen who, in territorial years, 1838-46, and the first quarter of a century, 1846-70 of our State history, were associated in the executive and judicial with the department of legislation in the government of Iowa. An association organized and continued for the purpose of keeping afresh the memories of the past, renewing early acquaintances and cementing more closely the friendships of those who met and labored in the public interest, while yet you and others were young and preparing for the work in which you are now engaged. This Association, which so recently held its second quadrennial reunion, before adjournment on yesterday appointed Hon. B. F. Gue, ex-lieutenant governor, and myself, a committee to wait upon your honorable body. We are especially instructed to express to the Senate the profound regret of your predecessors of the long ago that circumstances of such public interest—the inaugural ceremonies of the governor-elect, and of your honorable president, prevented them from visiting this body in obedience to your courteous invitation, and that for the same cause your honorable body could not have met us when in spirit, from the reading of the several papers so full of historic interest your members might have been carried back to earlier days, and learned from those who builded wiser than they knew, when they laid the foundation stone of that wise legislation which has built up the State and developed its resources and people; which has not only given to Iowa a name, as well as local habitation, but placed her in the front rank of her sister states for all those attributes which constitute a great State. Our Association, encouraged by the success which has crowned these two reunions, has resolved to make them a permanent factor in our

State legislative history, and will probably hold them in the future biennially and during your sessions.

It is also the desire of our Association that the old and new may become better acquainted, and that you may learn by contact and association with the pioneers and fathers of legislation something of their toils and trials, and be led to more highly appreciate the privileges you enjoy. We are deeply impressed with the fact that while your lot has been cast in pleasant places you are eminently worthy of the high trust our people have reposed in you. And we could utter no more fervent prayer than that when you too shall become old, and look back upon your labors of to-day you may witness as grand a success as that which has crowned the labors of those for whom we speak. We are proud of the past history of Iowa, in the Senate, the forum and in the field, when grim visaged war threatened the life of the republic.

And feeling thus proud, in which you join us heart and hand, we are the more solicitous that the early records of the past history of our territory and State should be rescued from the neglect and oblivion so fast overtaking them. In this commendable work we humbly invoke your aid.

In conclusion let me say with the great Corsican, who, when about to engage and overthrow the enemy upon the sands of Egypt, addressed his brave soldiers by way of stimulating their hopes and inspiring their action to heroic deeds, in these memorable words: "Soldiers, forty centuries look down upon you to-day." So, fellow legislators of Iowa, of the year '90, may I say to you, that forty years look down upon you to-day, and these years, so long in our history, so brief as measured by the dial of historic time, contain infinitely more than the forty centuries of old in all that concerns the welfare of States and nations or relates to the people who since then have gone forth to conquer the world to civil government, human liberty and progress, and develop the mind and heart of man for the enjoyment and blessings of this life and the hope of a glorious immortality in the life to come.

May these noble aspirations animate your minds and control your actions to the end that Iowa, the land of the beautiful, may be made more beautiful, and her intelligent people more wise and better, that you have lived and labored for her good, and that you may see the flowers of your good works blossoming into ripened fruit, which shall prove healing balm to the poor and sorrowing of earth.

Our mission is ended, with the wish that you may long live to serve the public.

Senator Weidman announced that he was paired with Senator Kent on all questions of a political nature. Senator Kent excused indefinitely.

Senator Harsh offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That the time in which the joint committee charged with investigation of trusts, and specially as to school book trusts, as to report, be continued thirty days after March 15, 1890. Provided that said committee be required to make report as to school books or other matter on March 15, 1890, as now provided by resolution.

Passed over under the rule.

HOUSE MESSAGES.

On motion of Senator Bayless, House Joint Resolution and Memo-

rial No. 3, asking Congress to enact a law pensioning certain women enrolled as army nurses, was taken up and considered.

Senator Bayless moved that the rule be suspended, and the Joint Resolution be read a third time, which motion prevailed, and the Joint Resolution was read a third time.

On the question, shall the Joint Resolution pass?

The yeas were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Funk, Gatch, Gobble, Groneweg, Harsh, Lawrence, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—40.

The nays were none.

Absent or not voting:

Senators Cassatt, Engle, Finn, Hanchett, Kegler, Kelly, Kent, Mattoon, Mosnat, Reiniger—10.

So the Joint Resolution passed and the title was agreed to.

House file No. 28, a bill for an act to authorize certain cities of the first class to issue bonds, and to provide for their payment, principal and interest.

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

Senator Harsh moved to take up his concurrent resolution, relative to instructing the Appropriations Committee to place printed copies of appropriations asked for on the desks of Senators at a specified time.

Carried:

The question being on the adoption of the resolution, it was adopted.

REPORT OF STANDING COMMITTEES.

Senator Meservey, from the Committee on Railways, submitted the following reports:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 208, a bill for an act to amend section six (6) and seven (7), of chapter one hundred and fifty-nine (159), of the laws of the Twentieth General Assembly of Iowa, in relation to taxes in aid of 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 do pass.

A. F. MESERVEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 64, a bill for an act to prohibit heating stoves in steam railway coaches, and to protect human 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 without recommendation.

A. F. MESERVEY, *Chairman*.

Ordered passed on file.

On motion of Senator Clyde, Senate file No. 208, a bill for an act to amend sections six (6) and seven (7), of chapter one hundred and fifty-nine (159), of the laws of the Twentieth General Assembly of Iowa, in relation to taxes in aid of railroads, with report of committee recommending that it do pass, was taken up, considered.

Senator Clyde 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 Bailey, Ballingall, Bayless, Bills, Bolter, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Funk, Gatch, Gobble, Grone-
weg, Harsh, Lawrence, Mack, Mattoon, McCoy, Meservey, Mills, Parrott, Perkins, Price, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Wolfe—35.

Absent or not voting:

Senators Barnett, Barrett, Brower, Cassatt, Engle, Finn, Hanchett, Kegler, Kelly, Kent, McVay, Mosnat, Reiniger, Weidman, Woolson—15.

So the bill passed and title was agreed to.

REPORTS OF STANDING COMMITTEES.

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

MR. PRESIDENT—Pursuant to resolution the Committee on Printing hereby orders 200 copies of Senate file No. 20.

A. B. FUNK, *Chairman*.

So ordered.

MESSAGE FROM THE GOVERNOR.

The Governor's private Secretary appeared and presented a communication in writing which was placed on the President's table.

Senator Harsh, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate file No. 62, a bill for an act to prohibit the employment of children under fourteen years of age in mines, factories and work shops, beg leave to report 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 joint resolution be adopted in lieu thereof.

J. B. HARSH, *Chairman*.

Ordered passed on file.

JOINT RESOLUTION.

WHEREAS, It is reported that there are a large number of children, under thirteen years of age, employed in the mines, workshops and factories of the State; and whereas, there is a just demand on the part of the Knights of Labor and others that such a condition should not exist. Therefore,

Resolved, By the Twenty-third General Assembly, that the State mine inspectors be and are hereby directed to investigate the question of child labor in the mines of this State, not only as to the extent, but the effect thereof upon the physical and mental condition of the children, and character of labor performed. Said mine inspectors shall present the result of their investigations in their next biennial report. The Commissioner of Labor Statistics is also directed to investigate the same subject in connection with the workshops and factories in the larger cities of the State, and present the results of his investigations in his biennial report.

The Superintendent of Public Instruction is also directed to make careful inquiries as to the number of children in the State who do not attend school, and he shall publish the result of such inquiries in his next biennial report.

The expense of these investigations shall be paid from the contingent funds allowed by law to the above named officers.

Senator Smith of Linn, from the Committee on Cities and Towns, submitted the following reports:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 166, a bill for an act to amend section 1, chapter 16, laws of the 22d General Assembly, relating to the granting of powers to certain cities, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

J. H. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 120, a bill for an act empowering cities organized under special charters to establish boards of public works, beg leave to report 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. H. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 252, a bill for an act to amend chapter 16, of the acts of the Twen-

ty-second General Assembly, relating to improvements of, and granting additional powers to, cities of the first and 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 do pass.

J. H. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 260, a bill for an act to repeal section one, of chapter ten, of the laws of the Twenty-second 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 the bill do pass.

J. H. SMITH, *Chairman*.

Ordered passed on file.

Senator Ed. P. Seeds, 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. 241, a bill for an act amendatory of section (3), chapter 184 of the laws passed by the Eighteenth General Assembly, relative 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 it do pass.

ED. P. SEEDS, *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. 23, a bill for an act to establish an industrial home for the adult 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 with the recommendation that the bill be amended as follows, and when so amended the bill do pass.

J. D. McVAY, *Chairman*.

Ordered passed on file.

Section 1, line 4, that the words "eighty-five" be stricken out and "forty" be inserted in lieu thereof.

Section 3, line 2, that the word "April" be changed to "May."

Section 3, line 3, the word "of" be changed to "for," inserted after "commissioner."

Section 3, line 10, after the word "business" the following be inserted: "But no action shall be taken except by a majority vote of the entire board."

Section 4, line 7, that the word "who" be changed to read "he."

Section 5, line 11, insert after the word "newspapers" "such advertisement includes the right to reject any or all bids, and said board shall reject all bids if the same exceed in amount the sum or sums hereinafter appropriated for such buildings."

That the words "at the office of," in section 5, line 22, shall be stricken out and the word "with" be inserted in lieu thereof.

That the first six lines of section 6 be stricken out and the following be added in lieu thereof: Sec. 6. Said board shall have the power to employ a competent architect and appoint a superintendent of construction, who may be one of their own number, who shall receive such compensation as they may determine, not exceeding four dollars per day while engaged in actual service connected with the Home.

That the following be inserted instead of section 9, from line 1 to line 14, inclusive: Sec. 9. The appropriations provided for by this act shall be as follows: For manufactory for workmen, for machinery for same and for steam heating for all the buildings and shops \$20,000; for store house for new material and manufactured products, \$2,000; for building for men, including furnishings, \$4,000; for building for women, including dining hall for all employes, for laundry machinery and furnishings, \$4,000; for out-buildings and barn, \$1,000; for purchasing fund for biennial period, \$4,000; for contingent fund, biennial period, \$5,000; total, \$40,000.

That the following section be created and numbered section 10: The compensation of the commissioners created by this act shall be the same as provided for the trustees of other State institutions in section 2, chapter 77, of the acts of the 22d General Assembly, and no commissioner or officer of this institution shall be in any way interested in any contract for the erection or purchasing of said buildings, and if any such commissioner or officer shall be so interested he shall be deemed guilty of a misdemeanor, and upon conviction be fined in any sum not exceeding five thousand dollars.

That section now numbered "10" be changed to No. 11.

MR. PRESIDENT—Your Committee on Rules having held a joint meeting with the Committee on Rules of the House, hereby recommend the adoption of the following joint rules and resolutions relating thereto, the same having received the unanimous endorsement of the Committee on Rules of the House, as well as your committee.

Respectfully submitted,

BEN MCCOY, *Chairman.*

Be it resolved by the Senate, the House concurring:

That the following joint rules be, and the same are hereby adopted, as the joint rules of Senate and House of the Twenty-third General Assembly:

Adopted.

JOINT RULES.

Whenever either House shall amend a measure, and the other House shall refuse to concur in and adopt the amendment, the House which has adopted such amendment shall either insist on, or recede from, the same. In case a motion to insist on the amendment be decided in the negative, such action shall be deemed a receding from the amendment and so entered upon the journal of such house. In case the amendment is insisted upon, the house so insisting shall request a Committee of Conference on the subject of disagreement, and shall appoint a committee therefor. The other house shall thereupon appoint such committee. Unless another number is specified in said request, such Conference Committee shall consist of four members from each House. They shall meet at a convenient time, to be

agreed upon by their chairmen, and having conferred freely, each shall report to their respective House the result of their conference. In case of agreement, the report shall be first made, with the papers referred accompanying it, to the House which refused to concur, and there acted upon; and such action shall be immediately reported by the Secretary or Clerk to the other House, the papers referred accompanying the message. In case of disagreement of Conference Committee, the papers shall remain with the House which insisted on the amendment. The agreeing report of a Conference Committee shall be made, read, and signed in duplicate by all the members of the committee, or by a majority of those of each House, one of the duplicates being retained by the committee of each House. Should either House disagree to the report of the committee, such House shall appoint a second committee, and request a further conference, which shall be acceded to by the other House before adhering. The motion for a Committee of Conference, and the report of such committee shall be in order at any time. When both Houses shall have adhered to their disagreement, a bill or resolution is lost.

2. When a message shall be sent from either House to the other, it shall be announced at the door of the House to which it is sent, by the door-keeper thereof, and shall be respectfully communicated to the chair by the person by whom it is sent.

3. All messages between the two Houses shall be communicated by the Secretary or Chief Clerk, or their respective assistants.

4. When a bill shall have passed both Houses, it shall be duly enrolled by the Enrolling Clerk of the House in which it originated, and the fact of its origin shall be certified by the endorsement of the Secretary or Clerk thereof.

5. When bills are enrolled they shall be examined by a Joint Committee of two from the Senate and two from the House of Representatives, who shall be a Standing Committee for that purpose, and who shall carefully compare the enrollment with the engrossed bills, as passed in the Houses, correct any errors therein, and make report thereof forthwith to their respective Houses.

6. After the report, each bill shall be signed, first by the Speaker of the House of Representatives, and then by the President of the Senate, in the presence of their respective Houses.

7. After the bill shall have been thus signed in each House, it shall be forthwith presented by said committee to the Governor for his approval, and they shall forthwith report the day of presentation, which shall be entered upon the journal of the House in which the bill originated.

8. All orders, resolutions, memorials, or other votes, which are to be presented to the Governor for his approval, shall be enrolled, examined, signed, and presented in the same manner as bills.

9. When any bill, resolution, or memorial, which shall have passed in one House, is rejected, or adopted in the other, notice of such action shall be given to the House which passed the same. And each bill, resolution, or memorial, shall have properly endorsed thereon, at time of its transmission, a statement, signed by the secretary or clerk, of the action which had been taken thereon by the House transmitting the same, with the dates thereof.

10. When a bill, resolution, or memorial, which shall have passed one House, is rejected in the other, it shall not be again introduced during the session without five days' notice, and leave of two-thirds of the members voting thereon.

11. Each House shall transmit to the other, with any bill, resolution, or memorial, all papers upon which the same shall be founded.

12 When any report, bill, or resolution shall be ordered printed, by either House, without stating the number, three hundred copies shall be printed for the use of both Houses; but when any bill or resolution, which may have passed one House, is ordered printed by the other, a greater number of copies shall not be printed than the House making the order shall determine.

13 It shall be the duty of the Chief Clerk of the House of Representatives, and the Secretary of the Senate, when any document, except bills and resolutions, is ordered to be printed in their respective Houses, forthwith to communicate such order to the other House.

14 In all elections in Joint Convention of the two Houses, the names of all the members shall be arranged in alphabetical order, and they shall be called upon to vote in the order in which they stand arranged.

15 It shall be the duty of the Committee on claims in each House, to keep a book of record, in which shall be entered each claim for money against the State referred to them, whether presented in favor of private persons, or municipal or other corporations, entering therein the name of the claimant, the amount of the claim, and the grounds thereof, with a note of the evidence offered in support of the same, and the final conclusion of the committee thereon. At the close of the session, said book of record shall be deposited with the Auditor of State, to be kept by him; and he shall provide an index, showing the names of the claimants recorded therein. At any subsequent session the same shall be delivered, when desired, to the like committee having jurisdiction of such claims, and shall always be open to the examination of the said committee of either House.

On motion of Senator McCoy, the Senate took up for consideration the report of the Committee on Rules relative to joint rules.

On motion of Senator Woolson, the report of the committee was considered by sections and adopted.

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 to provide for the purchase of property for the purpose of holding old settlers' meetings and to keep the same in repair, beg leave to report that they have 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*.

Ordered referred to Committee on Ways and Means.

Senator Ed P. Seeds, from the Committee on Compensation of Public Officers, submitted the following reports:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 236, a bill for an act to amend sections 370, and 3844 of the Code, in relation to 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.

ED P. SEEDS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 164, a bill for an act to amend section 506 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 an amendment to the bill as follows, to-wit: That in the fifth line of section 1 of the printed bill the word "compensation" be struck out and the word "fees" be inserted in lieu thereof; and that the word "now" in the fourth line of section 1 be struck out and "is or shall be" inserted in lieu thereof, and add to section 1 the following: "Provided that where such mayor is allowed a salary, such fees shall belong to the town or city, as the case may be;" and as amended that it do pass.

ED. P. SEEDS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT.—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 183, a bill for an act to amend section 3344 of the Code of 1873, in regard to county 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 it be indefinitely postponed.

ED. P. SEEDS, *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. 165, a bill for an act limiting the commencement of actions to set aside the probate of wills, 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.

Senator Wolfe, from the Committee on Library, submitted the following report:

MR. PRESIDENT—Your Committee on Library, to whom was referred Senate file No. 303, a bill for an act providing for the collection and preservation of historic records and other valuable materials pertaining to the history of Iowa and making 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 they favor said bill and recommend its passage, but as it makes an appropriation, would recommend that it be referred to the Committee on Appropriations.

P. B. WOLFE, *Chairman*.

Ordered referred to Committee on Appropriations.

On motion of Senator Gatch, Senate file No. 185, a bill for an act to amend section 9, chapter 21, acts of the Twentieth General Assembly, as amended by section 2, chapter 56, acts of the Twenty-second

General Assembly, relative to escape shafts in coal mines, 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 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Dodge, Dungan, Funk, Gatch, Gobble, Groneweg, Harsh, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Wolfe, Woolson—39.

The nays were—none.

Absent or not voting:

Senators Cassatt, Davidson, Engle, Finn, Kegler, Kelly, Kent, Mosnat, Reiniger, Weidman, Hanchett—11.

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. 47, with certain amendments, a bill for an act to legalize ordinances, resolutions and proceedings of the council of the incorporated town of Albion, Marshall county, Iowa.

Also, H. F. No. 55, passed with certain amendments, a bill for an act to amend section one (1), chapter seventeen (17), laws of the Twenty-second General Assembly.

Also, H. F. No. 79, a bill for an act to amend section 471, of the Code of 1873, relative to the powers of cities and towns, relative to water works, gas works and electric light plants.

H. S. WILCOX, *Chief Clerk.*

Senator Seeds, for the special Joint Committee on trusts, submitted a report which was placed on file and ordered printed.

On motion of Senator Stewart, Senate file No. 223, a bill for an act to provide for filling vacancy in the office of county recorder, with report of committee recommending that it do pass, was taken up and considered.

Senator Stewart 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Harsh, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Wolfe, Woolson—41.

The nays were—none.

Absent or not voting:

Senators Cassatt, Engle, Hanchett, Kegler, Kelly, Kent, Mosnat, Reiniger, Weidman—9.

Senator Finn moved to amend the title by inserting the word “temporarily” before the word “filling.”

Carried.

So the bill passed and the title as amended was agreed to.

On motion of Senator Ballingall, Senate file No. 274, a bill for an act for the punishment of conspiracies against the public welfare, was recalled from the Committee on Judiciary and re-referred to the Committee on Labor.

On motion of Senator McVay, his resolution relative to final adjournment was made a special order for next Tuesday at 10:30 o'clock, A. M.

The journal of March 14th was corrected and approved.

Senator Caldwell moved that the Senate do now adjourn.

Senator Gobble moved to amend by making the time 2 o'clock P. M. next Tuesday.

Lost.

The question now recurring on the original motion, it was adopted and the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, March 17, 1890. }

Senate met in regular session at 10 o'clock A. M.

Lieutenant-Governor Poyneer in the chair.

Prayer by Rev. W. F. Cronk.

PETITIONS AND MEMORIALS.

Senator Meservey presented petition of Mr. A. L. Rucker, Mr. R. B. Weaver and 157 others, asking that the present prohibitory liquor law be maintained.

Referred to Committee on Public Health.

Senator Taylor presented petition of James Althai, Thomas Atterberry and 59 others, citizens of Davis county, Iowa, asking that the present law governing the manufacture and sale of intoxicating liquors in this State be maintained.

Referred to Committee on Public Health.

Senator Smith of Linn presented petition of K. of L. local assembly 5883, of Marion, Linn county, asking for legislation on sundry subjects.

Referred to Committee on Retrenchment and Reform.

Senator Barrett presented petition of W. S. Wilson and 100 others, of Sheldon, Iowa, asking for uniformity of school books.

Referred to Committee on Schools.

Senator Mosnat presented petition of local assembly K. of L. No. 5546, Tama, Iowa, asking for free text-books, the Australian ballot system, the taxing of mortgages, and other matters.

Referred to Committee on Retrenchment and Reform.

Senator Engle presented petition of Rev. E. L. Schreiner and 138 others, of Newton, Iowa, against the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Engle presented petition of Col. A. P. Hansen, Rev. B. F. Grenable and 196 others of Newton, Jasper county, Iowa, asking for equal political rights for all citizens of the State, irrespective of sex.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Engle presented memorial of State Grange of Iowa, favoring State uniformity of school books, and Australian voting system, etc.

Referred to Committee on Schools.

Senator Engle presented memorial of a convention of teachers of Jasper county, favoring free school books and compulsory education, and against monopolies.

Referred to Committee on Retrenchment and Reform.

Senator Engle presented petition of Orvis Wimer and others of Lynnville, Iowa; Samuel Beals and 150 others of Newton, Iowa, all asking for a law prohibiting the sale of tobacco to minors.

Referred to Committee on Public Health.

Senator Gatch presented petition of J. H. Hall and 12 other citizens of Grimes, Iowa, asking that the prohibitory law be not repealed.

Referred to Committee on Public Health.

Senator Mills presented petition of A. M. Miller and 15 other citizens of Marshall county, asking that the prohibitory law be not repealed.

Referred to Committee on Public Health.

Senator Mattoon presented petition of J. Dickman, Wm. Mullican and 15 others of Fayette county, against repeal of prohibitory liquor law.

Referred to Committee on Public Health.

Senator Weidman presented memorial from Ingraham P. of H. 1242, Mills county, Iowa, opposing repeal of prohibitory liquor law, and on other subjects.

Referred to Committee on Suppression of Intemperance.

REPORT OF STANDING COMMITTEE.

Senator Davidson, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate file No. 99, a bill for an act legalizing the acts of the council of the city of Charles City, Floyd county, Iowa, and legalizing the ordinances and resolutions passed and adopted for the government of said city.

Also:

Senate file No. 301, a bill for an act legalizing a certain action of the board of supervisors of Clinton county, Iowa, and find the same correctly enrolled.

D. B. DAVIDSON, *Chairman*.

INTRODUCTION OF BILLS.

By Senator Dungan, by request, Senate file No. 317, a bill for an act appropriating two thousand seven hundred and ninety-four dollars and fifty cents (\$2,794.50), for the payment to M. Stone's claim for grading the capitol grounds.

Read first and second times and referred to the Committee on Claims.

By Senator Barrett, Senate file No. 318, a bill for an act in relation to fire insurance.

Read first and second times and referred to the Committee on Insurance.

By Senator Woolson, Senate file No. 319, a bill for an act making appropriations for the Hospital for the Insane at Mt. Pleasant, Iowa.

Read first and second times and referred to the Committee on Appropriations.

By Senator Engle, Senate file No. 320, a bill for an act authorizing the taking of depositions by short-hand writers.

Read first and second times and referred to the Committee on Judiciary.

By Senator Shields, Senate file No. 321, a bill for an act creating and establishing an appellate court and defining the powers and jurisdiction thereof.

Read first and second times and referred to the Committee on Judiciary.

COMMUNICATIONS ON THE PRESIDENT'S TABLE.

STATE OF IOWA, }
EXECUTIVE OFFICE, DES MOINES, March 15, 1890. }

To the Senate and House of Representatives:

GENTLEMEN—I have the honor to inform you that I have been officially notified of the resignation of Hon. J. S. Clarkson as the member of the Board of Trustees of the Agricultural College from the Seventh Congressional District. Under section 2, chapter 76, laws of 1884, it becomes the duty of the General Assembly to fill the vacancy thus occasioned.

HORACE BOIES.

A communication from the Auditor of State relative to the per diem and mileage of the joint committee appointed to investigate charges against the State University, was presented and read in part, and on motion of Senator Meservey, was referred to the Committee on Appropriations.

HOUSE MESSAGES.

House file No. 79, a bill for an act to amend section 471 of the Code of 1873, relative to the power of cities and towns relative to water works, gas works, and electric light plants.

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

House file No. 55, a bill for an act to amend section one (1), of chapter seventeen (17), laws of the Twenty-second General Assembly.

Read first and second times and referred to the Committee on Judiciary.

House file No. 47, a bill for an act to legalize the ordinances, resolutions and proceedings of the council of the incorporated town of Albion, Marshall county, Iowa.

Read first and second times and referred to the Committee on Judiciary.

Senator Gobble was granted leave of absence indefinitely.

REPORTS OF STANDING COMMITTEES.

Senator Davidson, 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: Senate file No. 99, a bill for an act legalizing the acts of the council of the city of Charles City, Iowa, and legalizing the ordinances and resolutions passed and adopted for the government of said city.

Also:

Senate file No. 301, a bill for an act legalizing a certain action of the board of supervisors of Clinton county, Iowa.

D. B. DAVIDSON, *Chairman*.

Senator Parrott, 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. 38, a bill for an act to provide for the listing and assessment for taxation of the capital stock of banks organized under the laws of this State, 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 in lieu thereof, and when adopted the bill do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Senator Vale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 110, a bill for an act giving a bounty on wolves killed 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 following committee substitute be adopted in lieu thereof, and when so adopted that the bill do pass.

B. R. VALE, *Chairman.*

Ordered passed on file, and the substitute ordered printed.

Committee substitute for Senate File No. 110.

A BILL

FOR AN ACT TO REPEAL SECTION 1487 OF THE CODE, AND ENACT A SUBSTITUTE THEREFOR.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Section 1487 of the Code is hereby repealed and the following enacted in lieu thereof: A bounty shall be allowed on the scalp of a wolf, lynx, swift or wild cat, as follows: Ten dollars on an adult female wolf, five dollars on an adult male wolf, and two dollars on a cub wolf, and one dollar on a lynx, swift or wild cat, to be paid out of the treasury of the county in which the animal was taken, upon a certified statement of the facts, together with such other evidence as the Board or justice may demand, showing the claimant to be entitled thereto, and any person who shall demand a bounty on any of the above mentioned animals killed or taken in another State or on a domesticated animal shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined, not more than \$100 nor less than \$50 and costs, and be imprisoned in the county jail till said fine and costs are paid.

Senator Finn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 192, a bill for an act to amend chapter 167, laws of 1882, in relation to State certificates and diplomas to 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 the same as amended by sub-committee No. 3, be reported 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. 178, a bill for an act to provide for the election of county superintendents of schools by the boards of directors of the several counties 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 has been indefinitely postponed.

G. L. FINN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file

No. 67, a bill for an act to amend chapter 143, laws of the Seventeenth General Assembly, relating to the examination of 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 substitute do pass.

G. L. FINN, *Chairman*.

Ordered passed on file.

A BILL

FOR AN ACT TO AMEND SECTION 1766 OF THE CODE, AS RE-ENACTED BY SECTION 1, OF CHAPTER 143, LAWS OF THE SEVENTEENTH GENERAL ASSEMBLY, IN RELATION TO THE EXAMINATION OF TEACHERS.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 1766 of the Code, as re-enacted by section 1, of chapter 143, laws of the Seventeenth General Assembly, be amended by inserting in first line of said section 1776, after the words "of each month" the words "and the day preceding."

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. 99 and 301.

HENRY S. WILCOX, *Chief Clerk*.

Senator Brower, from the Committee on Banks, submitted the following report:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate file No. 12, 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 have instructed me to report the same back to the Senate with the recommendation that the substitute annexed be accepted in lieu thereof, and that the substitute do pass.

N. V. BROWER, *Chairman*.

Ordered passed on file.

A BILL—COMMITTEE SUBSTITUTE FOR SENATE FILE No. 12.

FOR AN ACT TO AMEND SECTION 1061, CODE OF 1873.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 1061, Code of 1873, be and the same is hereby amended by adding after the word "stock," in the fifth line, the following: "Exclusive of deposits, which in no case shall exceed ten times the paid-up capital."

Senator Bailey, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred a resolution offered by Senator Kelly, March 5, beg leave to report 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 consideration of the same be indefinitely postponed.

A. K. BAILEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Federal Relations, to whom was referred Joint Resolution No. 1, beg leave to report 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 words "providing for," in the second line of the printed bill and inserting in their place the word "permitting," and that the same as amended do pass.

A. K. BAILEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred a resolution offered by Senator Woolson March 12th, beg leave to report 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 after the final word "tobacco," the words, "or whisky," and that the same as amended do pass.

A. K. BAILEY, *Chairman*.

Ordered passed on file.

On motion of Senator McVay, Senate file No. 23, a bill for an act to establish an industrial school for adult blind, with report of committee recommending amendments, and when adopted it do pass, was taken up and considered.

Senator McVay moved that it be referred to Committee on Appropriations.

Carried.

On motion of Senator Price the bills on the calendar reported for indefinite postponement were taken up and considered.

Joint Resolution No. 5, relative to removing a fraud in the adulteration of lard, with recommendation of committee, recommending that it be indefinitely postponed.

The report of the committee was adopted.

Senate file No. 109, 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, with report of committee recommending that it be indefinitely postponed.

The report of the committee was adopted.

Senate file No. 28, a bill for an act to amend section 2, chapter 178, acts of the Twentieth General Assembly, with report of committee recommending that it be indefinitely postponed.

The report of the committee was adopted.

Senate file No. 37, a bill for an act to repeal the last sub-division of section 3061, of the Code, and to enact a substitute therefor, relating to interest and judgments when stay-execution is had, with report of committee, recommending it be indefinitely postponed.

The report of the committee was adopted.

Senate file No. 95, a bill for an act to prohibit selling, giving, or furnishing tobacco in any of its forms to minors, and providing a penalty therefor, with report of committee recommending that it do pass.

Senator Clyde moved to refer the bill to the Committee on the Suppression of Intemperance. On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barnett, Barrett, Bills, Brower, Clyde, Davidson, Dungan, Engle, Funk, Gatch, Harsh, Mack, McCoy, Meservey, Mills, Perkins, Price, Seeds, Smith of Wright, Vale, Weidman, Woolfe, Woolson—24.

The nays were:

Senators Ballingall, Bayless, Bolter, Cleveland, Dodge, Groneweg, Lawrence, Mattoon, McVay, Mosnat, Parrott, Rich, Schmidt, Shields, Smith of Linn, Stewart, Taylor—17.

Absent or not voting:

Senators Caldwell, Cassatt, Finn, Gobble, Hanchett, Kegler, Kelly, Kent, Reiniger—9.

So the motion was carried.

Senate file No. 193, a bill for an act to amend section 1, chapter 20, of the laws of the Thirteenth General Assembly, with report of Committee recommending that it be referred to the Committee on Highways.

On motion of Senator Price the bill was referred to the Committee on Highways.

Senate file No. 56, a bill for an act to repeal section thirty-eight hundred and twelve (3812) of the Code, and enact a substitute therefor, relating to costs in trials by jury, with report of Committee recommending that it be indefinitely postponed.

On the question, shall the report of the Committee be adopted?

The yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Barrett, Bayless, Bills, Bolter, Brower, Cleveland, Clyde, Davidson, Dodge, Dungan, Finn, Funk, Gatch, Groneweg, Harsh, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mosnat, Parrott, Perkins, Rich, Schmidt, Seeds, Shields, Smith

of Linn, Smith of Wright, Stewart, Taylor, Vale Wolfe, Woolson—37.

The nays were:

Senators Barnett, Engle, Mills, Price—4.

Absent or not voting:

Senators Caldwell, Cassatt, Gobble, Hanchett, Kegler, Kelly, Kent, Reiniger, Weidman—9.

So the motion was carried.

Senate file No. 181, a bill for an act to prevent unnecessary county costs in criminal prosecutions, with report of committee recommending that it be indefinitely postponed, was taken up for consideration and the report of the committee was adopted.

Senate File No. 222, a bill for an act to amend chapter one hundred and two (102) of the acts of the Twenty-second General Assembly, with report of committee recommending that it be indefinitely postponed, was taken up for consideration and the report of the committee was adopted.

Senate file No. 88, a bill for an act to amend section 2077, Code of Iowa, with report of a majority of committee recommending that it be indefinitely postponed, 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 Ballingall, Bolter, Dodge, Dungan, Gatch, Groneweg, Lawrence, Mack, Schmidt, Shields, Smith of Linn, Woolson—12.

The nays were:

Senators Barnett, Barrett, Bayless, Bills, Cleveland, Clyde, Davidson, Engle, Finn, Funk, Harsh, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Rich, Seeds, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe—28.

Absent or not voting:

Senators Bailey, Brower, Caldwell, Cassatt, Gobble, Hanchett, Kegler, Kelly, Kent, Reiniger—10.

So the Senate refused to adopt the report of the committee.

Senator Barnett 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 Bailey, Barnett, Barrett, Bayless, Bills, Brower, Clyde, Davidson, Dungan, Engle, Finn, Gatch, Harsh, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Rich, Seeds, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe—32.

The nays were:

Senators Ballingall, Bolter, Cleveland, Dodge, Funk, Groneweg, Mack, Schmidt, Shields, Woolson—10.

Absent or not voting.

Senators Caldwell, Cassatt, Gobble, Hanchett, Kegler, Kelly, Kent and Reiniger—8.

So the motion prevailed and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators, Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Brower, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Harsh, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Perkins, Price, Rich, Seeds, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe—31.

The nays were:

Senators Bolter, Cleveland, Funk, Gatch, Groneweg, Lawrence, Mack, Parrott, Schmidt, Shields, Woolson—11.

Absent or not voting:

Senators, Caldwell, Cassatt, Gobble, Hanchett, Kegler, Kelly, Kent, Reiniger—8.

On motion of Senator Wolfe, the title of the bill was amended by adding the words "relating to interest."

So the bill passed and the title as amended, agreed to.

Senator Mack thus explained his vote:

MR. PRESIDENT—I desire to explain my vote. If I believed that the enactment of this bill into a law of this State would result in the reduction of rates of interest charged to the borrower, I would heartily vote for it. But, I believe, it would have the effect of withdrawing from the commercial transactions of the State large sums of money and reducing the amounts of money obtainable for loans on notes of hand and with chattel security, and necessarily advance the charges to the borrower upon such securities, and that it would therefore prove a hardship to the very class it is sought by the measure to aid. I vote no.

EDGAR E. MACK, *Senator Fiftieth District.*

Senator Funk explained his vote as follows:

Where this measure serves any purpose, it will, in my opinion, enable the unscrupulous lender to drive harder bargains with the borrower who cannot offer real estate security. Believing it to be a menace to the section I represent, that its enactment into law means a monetary stringency and higher interest, I vote no.

A. B. FUNK, *Senator 47th District.*

By unanimous consent further consideration of the calender was dispensed with.

INTRODUCTION OF BILLS.

By Senator Mills, Senate file No. 322, a bill for an act to amend section one (1), chapter thirty-two (32), laws of the Eighteenth General Assembly of the State of Iowa.

Read first and second times and referred to the Committee on Judiciary without printing, with instructions to report on Wednesday, March 19, 1890.

Senator Gatch moved that the Senate do now adjourn until 9 o'clock A. M. to-morrow.

Carried, and the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, March 18, 1890.

Senate met in regular session at 9 o'clock A. M., and was called to order by Hon. A. F. Meservey, President *pro tem*.

Prayer by Rev. E. B. Utt, pastor Trinity Evangelical church, Des Moines.

Senator Bayless offered the following concurrent resolution:

Resolved by the Senate, the House concurring: For the purpose of expediting committee work, that the presentation of petitions and memorials be suspended until the session on Friday next.

That sessions be held on next Friday, Saturday and Monday, commencing at 10 o'clock A. M., at which only business as follows shall be transacted:

Presentation of petitions and memorials.

Introduction of bills.

Messages for reference.

Reports of Standing Committees to be passed on file.

Reports of Select Committees to be passed on file.

Adopted.

INTRODUCTION OF BILLS.

By Senator Lawrence, Senate file No. 323, a bill for an act to amend section twenty hundred and seventeen (2017) of chapter nine (9), title thirteen (13), of the Code.

Read first and second times and referred to the Committee on Judiciary.

By Senator Lawrence, Senate file No. 324, a bill for an act to authorize the consolidation of a district township with and make it part of an independent district in the same civil township.

Read first and second times and referred to the Committee on Schools.

By Senator Shields, Senate File No. 325, a bill for an act conferring upon cities and incorporated towns certain additional powers, relating to the construction of street railways and to define the motive power thereof.

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

Senator Seeds moved to take up for consideration bills on the cal-

endar recommending indefinite postponement, and where there is no discussion the report of the committee be considered adopted.

Carried.

Senate file No. 81, a bill for an act to amend section two thousand two hundred and twenty-three (2223), title fifteen (15), chapter three (3), of the Code, in relation to obtaining divorces, with the report of the committee recommending that it be indefinitely postponed.

The report of the committee was adopted.

Senate file No. 86, a bill for an act to recover money and property lost on games of chance and bets made thereon, with the report of the committee recommending that it be indefinitely postponed.

The report of the committee was adopted.

Senate file No. 87, a bill for an act to amend section 2927 of the Code, providing for bond for costs in certain cases, with the report of the committee recommending that it be indefinitely postponed.

The report of the committee was adopted.

Senate file No. 102, a bill for an act to amend sections 2 and 3, of chapter 22 of the acts of the Eighteenth General Assembly, relating to reports of expenses of criminal prosecutions, with the report of the committee recommending that it be indefinitely postponed.

On motion of Senator Clyde, the bill was re-referred to the Committee on Judiciary.

Senate file No. 179, a bill for an act to repeal section 3787, of the Code, and to enact a substitute therefor in relation to fees of the clerk of the district court, with the report of the committee recommending that it be indefinitely postponed.

The report of the committee was adopted.

Senate file No. 120, a bill for an act empowering cities organized under special charters to establish boards of public works, with report of committee recommending that it be indefinitely postponed.

The report of the committee was adopted.

Senate file No. 165, a bill for an act limiting the commencement of actions to set aside the probate of wills, with the report of a majority of committee recommending that it be indefinitely postponed.

The report of the committee was adopted.

Senate file No. 236, a bill for an act to amend sections 370 and 3844 of the Code in relation to county surveyors, with report of the committee recommending that it be indefinitely postponed.

The report of the committee was adopted.

Senate file No. 183, a bill for an act to amend section 3844 of the Code of 1873, in regard to county officers, with report of the committee recommending that it be indefinitely postponed.

The report of the committee was adopted.

Senate file No. 178, a bill for an act to provide for the election of county superintendents of schools by the boards of directors of the several counties of the State of Iowa, with the report of the committee recommending that it be indefinitely postponed.

The report of the committee was adopted.

On motion of Senator Harsh, Senate file No. 113, a bill for an act to amend chapter 16, laws of the Twenty-second General Assembly, entitled: "An act granting additional powers to certain cities of the first-class, and to cities organized under special charters, and cities of the second-class having over seven thousand inhabitants," with report of committee recommending that it do pass, was taken up and considered.

Senator Wolfe offered the following substitute:

A BILL

FOR AN ACT TO AMEND SECTION ONE, CHAPTER SIXTEEN, LAWS OF THE TWENTY-SECOND GENERAL ASSEMBLY, RELATING TO THE GRANTING OF POWERS TO CERTAIN CITIES.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 1, of chapter 16, of the laws of the Twenty-second General Assembly, be, and the same is amended by repealing all of said section, after the word, "determine," fifty-ninth line.

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

The yeas and nays were demanded.

Senator Gatch moved that further consideration of this matter be postponed until to-morrow at 10 o'clock A. M., and that it be made a special order for that hour. Carried.

Leave of absence granted to Senator Dungan.

On motion of Senator Parrott, Senate file No. 192, a bill for an act to amend chapter 167, laws of 1882, in relation to state certificates and diplomas to teachers, with report of committee recommending amendment and it do pass, was taken up and considered.

Senator Wolfe offered the following amendment to the committee report:

Strike out "1882" and insert "the Nineteenth General Assembly."

Adopted.

Senator Groneweg moved to strike out section two, as reported by the committee.

Lost.

The report of the committee as amended was 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dodge, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Rich, Schmidt, Seeds, Shields, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—46.

The nays were none.

Absent or not voting:

Senators Dungan, Mosnat, Reiniger and Smith of Linn—4.

Senator Parrott moved to amend the title by striking out the figures "1882" and inserting the words "the Nineteenth General Assembly."

Adopted.

So the bill passed and the title as amended was agreed to.

On motion of Senator Kent, Senate file No. 46, 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, with report of committee recommending amendments and do pass, was taken up and considered, and the amendments recommended by the committee were adopted.

Senator Woolson moved to amend as follows: Insert in line one (1) of section two (2), after the word "submit" the words "at the regular election next following."

The hour having arrived for consideration of the special order, it being a concurrent resolution offered by Senator McVay, relative to final adjournment, on motion of Senator Bayless it was suspended until action on the bill under consideration be concluded.

The Senate resumed consideration of the bill under discussion at the time of arrival of the hour for special order.

The question being on the adoption of the amendment offered by Senator Woolson, it was adopted.

Senator Kent moved to amend as follows: By adding the words "not less than ten days before any general election" after the word "township" in line 3 of section 2.

Adopted.

Senator Bayless offered the following amendment: Strike out all after the first word "the." in the second line of section 4, and insert the words "population of the township as is practicable."

Senator Kegler offered the following substitute: Insert after the

word "be," in the second line of section 4, the words "unless otherwise ordered by vote at the election held as above provided."

Lost.

The question was now on the adoption of the amendment offered by Senator Bayless. It was adopted.

Senator Wolfe moved to amend by inserting after the word "used," in line 4, section 3, the words "for the purpose herein provided."

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 Bailey, Ballingall, Barnett, Barrett, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Davidson, Dodge, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Taylor, Vale, Weidman, Wolfe—43.

The nays were:

Senator Kegler—1.

Absent or not voting:

Senators Bayless, Clyde, Dungan, Reiniger, Stewart, Woolson—6.

Senator Kelly moved to amend the title by inserting the word "the" before the word "State."

Adopted.

So the bill passed and the title, as amended, was agreed to.

Senator Kegler thus explained his vote:

MR. PRESIDENT—I am in favor of the bill, but I am not in favor of paying five per cent to the township clerk as fees, which he is entitled to under the law. There ought to be a special provision for a reasonable fee for said clerk.

A. G. KEGLER, *Senator 23d District.*

REPORTS OF STANDING COMMITTEES.

Senator Meservey, from the Committee on Railways, submitted the following reports:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 71, a bill for an act to regulate the charges for transporting State troops, stores, material, camp equipage, horses and arms upon the 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 for indefinite postponement.

A. F. MESERVEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 254, a bill for an act to repeal section 1, chapter 163, of the laws of the Seventeenth 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 for indefinite postponement.

A. F. MESERVEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate file No. 89, a bill for an act to regulate railroads and other common carriers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate for indefinite postponement,

A. F. MESERVEY, *Chairman*.

Ordered passed on file.

Senator Smith of Linn, from the Committee on Cities and Towns, submitted the following reports:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 79, a bill for an act to amend section 471, of the Code of 1872, relative to the powers of Cities and Towns, relative to water works, gas works, and 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.

J. H. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 28, a bill for an act to authorize certain cities of the first-class to issue bonds and provide for their payment, principal and interest, beg leave to report 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. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 207, a bill for an act providing for funding indebtedness evidenced by warrants and refunding of bonded indebtedness of incorporated towns, and for the levy of taxes for the payment thereof, and fixing 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 it do pass.

J. H. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 156, a bill for an act making further provision with respect to contracts by cities organized under special charters for paving and curbing streets, and the construction of sewers and the making and collection by such cities of

assessments, and the issuance of bonds or certificates by such cities to pay for such improvements, beg leave to report 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" after the word "curbing" in line four of section two; also, by inserting the words "surfacing with any composition patented or otherwise," after the word "having," in line four of section two; also, by inserting the words, "or city recorder as the case may be" after the word "clerk" in line 9 of section 6; also, by inserting the words, "or city recorder as the case may be," after the word "clerk," in line 2 of section 7; also, by inserting the words, "or city recorder as the case may be," after the word "clerk," in line 4 of section 8; also, by inserting the words, "or city recorder as the case may be," after the word "clerk," in line 1 of section 11; also, by inserting the words, "or city recorder as the case may be," after the word "clerk," in line 9 of section 11; also, by inserting the words, "or city recorder as the case may be," after the word "clerk," in line 11 of section 11; also, by inserting the words, "or for any other reason or reasons at the discretion of the council," after the word "provided," in line 3 of section 15; and when so amended the bill do pass.

J. H. SMITH, *Chairman*.

Ordered passed on file.

Senator Price, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 248, a bill for an act to amend section 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 it do pass.

RICHARD PRICE, *Chairman*.

Ordered passed on file.

Senator Price from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance to whom was referred Senate file No. 115, a bill for an act defining the liability of fire insurance companies 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 indefinitely postponed.

RICHARD PRICE, *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. 141, a bill for an act making 12th day of February a legal holiday, and providing for its suitable observance by the public schools when in session, beg leave to report 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.

G. L. FINN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 47, a bill for an act to amend chapter 61 of the laws of the 22d General Assembly, entitled 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 the same be indefinitely postponed.

G. L. FINN, *Chairman*.

Ordered passed on file.

Senator Smith of Linn presented the report of the joint committee appointed to visit the Agricultural College at Ames.

Passed on file and ordered printed.

Senator Wolfe for joint committee appointed to visit the Reform School at Eldora submitted a report.

Placed on file and ordered printed.

Lieut.-Gov. Poyneer resumed the chair.

Consideration of the special order, the resolution of Senator McVay, relating to final adjournment, was taken up.

Senator Finn moved to postpone further consideration of the resolution until the first of April.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barnett, Bayless, Bills, Cassatt, Cleveland, Engle, Finn, Funk, Gobble, Hanchett, Harsh, Kegler, Kelly, Lawrence, Mack, Taylor, Vale—18.

The nays were:

Senators Ballingall, Barrett, Bolter, Brower, Caldwell, Clyde, Davidson, Dodge, Gatch, Groneweg, Kent, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Rich, Schmidt, Seeds, Shields, Smith of Wright, Stewart, Weidman, Wolfe, Woolson—29.

Absent or not voting:

Senators Dungan, Reiniger, Smith of Linn—3

So the motion was lost.

Senator Seeds moved to amend by striking out "Thursday the 10th" and inserting "Tuesday the 15th."

Senator Finn moved to refer the resolution and amendments to the Committee on Public Health.

Lost.

The question recurring on the adoption of the amendment offered by Senator Seeds, the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barnett, Bayless, Bills, Brower, Caldwell, Cassatt, Clyde, Engle, Finn, Funk, Gatch, Gobble, Hanchett, Harsh, Kegler,

Kelly, Lawrence, Mack, Mills, Parrott, Seeds, Smith of Linn, Smith of Wright, Stewart, Vale—26.

The nays were:

Senators Ballingall, Barrett, Bolter, Cleveland, Davidson, Dodge, Groneweg, Kent, Mattoon, McCoy, McVay, Meservey, Mosnat, Perkins, Price, Rich, Schmidt, Shields, Taylor, Weidman, Wolfe, Woolson—22.

Absent or not voting:

Senators Dungan and Reiniger—2.

So the amendment was adopted.

The question being on the adoption of the resolution as amended.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dodge, Engle, Funk, Gatch, Gobble, Groneweg, Harsh, Kegler, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Wolfe, Woolson—42.

The nays were:

Senators Finn, Hanchett, Kelly, Weidman—4.

Absent or not voting:

Senators Barnett, Dungan, Kent, Reiniger—4.

So the resolution was adopted.

On motion of Senator Parrott, Senate file No. 10, a bill for an act to repeal sections 1, 2, 3, 4, of chapter 12, of the acts of the Eighteenth General Assembly, relative to the management of the permanent school fund, and to enact substitutes therefor, was re-referred to the Committee on Ways and Means.

The journal of yesterday was corrected and approved.

Senator Gobble filed the following:

MR. PRESIDENT—In view of the fact that at the time of the consideration of Senate file No. 88, by the Committee on Commerce, that I was the only member of said committee present who was in favor of said bill, and the only one who voted against recommending indefinite postponement, I ask unanimous consent to have spread on the records of this body the fact, that had I been able to have been present yesterday I should have voted "No" on the question "shall the report of the committee be adopted?" "yea" on the motion "that the rule be suspended," etc.? and "yea" on the question "shall the bill pass?"

J. M. GOBBLE, *Senator 20th District.*

Senator Kelly filed the following:

MR. PRESIDENT—Had I been present March 17th, I would have voted for Senate file No. 88.

M. J. KELLY, *Senator of the 25th Dist.*

Senator Kegler filed the following:

MR. PRESIDENT—Had I been present at the passage of Senate file 88, I would have voted "nay."

A. G. KEGLER, *Senator 23d District.*

Senator Shields filed the following:

MR. PRESIDENT—My vote on Senate file 88 is recorded in the journal in the negative. I am now, and have been for some time, in favor of reducing the legal rate of interest to 8 per cent. After the bill had passed the Senate I asked for consent to correct the journal and to have my vote recorded in favor of the passage of the bill, but for parliamentary reasons the change was not made. I am in favor of an authoritative declaration by the legislature in the shape of law that no person shall exact from another a higher rate of interest than 6 per cent, and hope this measure may become a law.

J. H. SHIELDS, *Senator Thirty-fifth District.*

Senator Cleveland filed the following:

MR. PRESIDENT—In the passage of Senate file No. 88, upon yesterday, I voted "no" under a misapprehension; having favored its recommendation in committee, I was in favor of its final passage.

W. F. CLEVELAND, *Senator 18th District.*

Senator Caldwell filed the following:

MR. PRESIDENT—Had I been present on yesterday (the 17th) at the time Senate file No. 88 was under consideration, a bill for an act to reduce the rate of interest on written contracts from ten to eight per cent, I should have voted in the affirmative on the passage of the bill.

T. J. CALDWELL, *Senator 17th District.*

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA, }
EXECUTIVE OFFICE, DES MOINES, March 18, 1890. }

MR. PRESIDENT—I am instructed by the Governor to inform you that he has approved, signed and deposited in the office of the Secretary of State the following bills:

Senate file No. 99, an act legalizing the acts of the council of the city of Charles City, Floyd county, Iowa, and legalizing the ordinances and resolutions passed and adopted for the government of said city; and Senate file No. 301, an act legalizing a certain action of the board of supervisors of Clinton county, Iowa.

FRED'K W. HOSSFELD, *Private Secretary.*

INTRODUCTION OF BILLS.

By Senator Kelly, Senate file No. 326, a bill for an act to legalize the proceedings of the board of supervisors of Johnson county, Iowa, in locating and causing to be constructed a ditch in Fremont township in said county, known as the Alcock ditch, and to provide for an

assessment and levy of the costs and expense thereof on the lands benefited thereby.

Read first and second times and referred to the Committee on Judiciary.

By Senator Kelly, Senate file No. 327, a bill for an act to legalize the proceedings of the board of supervisors of Johnson county, Iowa, in locating and causing to be constructed a ditch in Fremont township in said county, known as the Walker ditch, and to provide for an assessment and levy of the costs and expenses thereof on the lands benefited thereby.

Read first and second times and referred to the Committee on Judiciary.

By Senator Gatch, Senate file No. 328, a bill for an act making appropriations for girls' department Iowa Industrial School at Mitchellville.

Read first and second times and referred to the Committee on Appropriations.

By Senator Finn, Senate file No. 329, a bill for an act to amend section 17, chapter 28, of the laws of the Twenty-second General Assembly, and to make the same applicable to express companies.

Read first and second times and referred to the Committee on Railways.

By Senator McCoy, Senate file No. 330, a bill for an act to legalize the acts of the independent school district of Fremont, Mahaska county, Iowa, relating to voting bonds for the purpose of a school house.

Read first and second times and referred to the Committee on Judiciary.

By Senator Cassatt, per request, Senate file No. 331, a bill for an act for the relief of George M. Blatner, W. H. George and J. D. Norris.

Read first and second times and referred to the Committee on Judiciary.

By Senator Price, Senate file No. 332, a bill for an act to dispose of fines in penal cases in incorporated cities and towns.

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

Senator Woolson moved to reconsider the vote by which the resolution relative to final adjournment was adopted, and moved to lay the motion to reconsider on the table.

Carried.

On motion of Senator Bailey the Senate adjourned until 9 o'clock A. M. to morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, March 19, 1890. }

Senate met in regular session at 9 o'clock, A. M.

Lieut.-Governor Poyneer in the chair.

Prayer by Rev. C. L. Nye, Pastor M. E. Church, Adel, Iowa.

Senators Barrett and Schmidt were granted leave of absence indefinitely.

INTRODUCTION OF BILLS.

By Senator Bailey, Senate file No. 333, a bill for an act appropriating funds to defray the expenses of an Iowa exhibit at the world's fair, to be held at Chicago, A. D. 1892.

Read first and second times and referred to the Committee on Appropriations.

By Senator Bolter, by request, Senate file No. 334, a bill for an act to amend section 1753 of the Code, relating to the employment of teachers in the common schools.

Read first and second times and referred to the Committee on Schools.

By Senator Smith of Linn, by request, Senate file No. 335, a bill for an act relating to fraternal beneficiary associations, societies or orders.

Read first and second times and referred to the Committee on Insurance.

By Senator Schmidt, Senate file No. 336, a bill for an act to regulate the sale and manufacture of intoxicating liquors in municipal corporations.

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

By Senator Barrett, Senate file No. 337, a bill for an act relating to personal property mortgaged, pledged or subject to any lien created by law, and its sale on attachments or levy of any execution.

Read first and second times and referred to the Committee on Judiciary.

By Senator Meservey, by request, Senate file No. 338, a bill for an act to require railroad companies to give proper leases for grain elevators.

Read first and second times and referred to the Committee on Railways.

By Senator Meservey, by request, Senate file No. 339, a bill for an act to amend section twenty-one hundred seventy-seven (2177), of the Code of 1873, in relation to the lien for charges on personal property.

Read first and second times and referred to the Committee on Railways.

By Senator Smith of Linn, Senate file No. 340, a bill for an act authorizing the crossing of railway tracks by street railways.

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

By Senator Ballingall, by request, Senate file No. 341, a bill for an act to amend section 3, chapter 134, of the laws of the Twenty-first General Assembly, and to create an additional judicial district.

Read first and second times and referred to the Committee on Congressional and Judicial Districts.

REPORTS OF STANDING COMMITTEES.

Senator Parrott, 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. 10, a bill for an act to repeal sections 1, 2, 3, 4, of chapter 12, of the acts of the Eighteenth General Assembly relative to the management of the permanent school fund, and to enact substitutes therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Senator Price, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 238, a bill for an act to define the liability of fire and tornado insurance companies 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 amended as follows: Strike out the word "conclusively" in the sixth line of section one (1) of the printed bill, and after the word "as" in the same line insert the words "prima facie evidence of." And that when so amended the bill do pass.

RICHARD PRICE, *Chairman*.

Ordered passed on file.

Senator Ed. P. Seeds, from the Committee on Compensation of Public Officers, submitted the following report:

MR. PRESIDENT—A majority of your Committee on Compensation of Public Officers, to whom was referred Senate file No. 256, a bill for an act to limit the compensation of justices of the peace and constables for services 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 do pass.

ED. P. SEEDS, *Chairman*.

Ordered passed on file.

Senator Weidman, from the Committee on Roads and Highways, submitted the following reports:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 136, a bill for an act to amend section 8, chapter 200, of the acts of the Twentieth General Assembly, relating 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.

THOS. WEIDMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 193, a bill for an act to amend section 1, chapter 20, of the laws of the Thirtieth 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.

THOS. WEIDMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 240, a bill for an act to amend section 4062 of the Code of 1873, relative to Canada thistles, beg leave to report 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.

THOS. WEIDMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 170, a bill for an act to protect persons and property from danger from steam engines, when traveling on 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: Strike out the word "on" in the fourth line of section 1, of the printed bill, and insert the word "over" in lieu thereof; insert the word "sound" after the word "four," in line 2 of section 3, and strike out the word "oak" in same line. Also, strike out the words "two inches," in line 3, of section 3, and insert the words "three inches;" also add the following section:

"SEC. 5. Nothing herein contained shall be construed as applying to railways or street car lines," and when so amended, that it do pass.

THOS. WEIDMAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate file No. 265, a bill for an act to amend sections 946 and 947 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.

THOS. WEIDMAN, *Chairman*.

Ordered passed on file.

Senator Lawrence, from the Committee on Elections, submitted the following reports:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate file No. 8, a bill for an act to amend section 326 of the Code of Iowa, in reference to the terms of county auditor and county treasurer, beg leave to report 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. S. LAWRENCE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Elections to whom was referred Senate file No. 7, a bill for an act to amend section 589 of the Code of 1873, in reference to the election of 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 the bill be amended as following, to-wit: strike out all after the word "auditor" in the third line, and add the following: Section 2. All county auditors elected in the year 1889, shall hold their office until the first Monday in January, A. D. 1893, or until their successors are duly elected and qualified, and when so amended that it do pass.

J. S. LAWRENCE, *Chairman*.

Ordered passed on file.

Senator Perkins, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 119, a bill for an act to authorize the auditor to credit Fremont county, on account of school fund and county fund, beg leave to report 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.

GEO. W. PERKINS, *Chairman*.

Ordered passed on file.

Senator Bayless, from the Committee on Military, submitted the following reports:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 239, a bill for an act to authorize the Adjutant-General to organize, or contract for the organization of, or contract for the services of, a military band, to be known as the Iowa State Military Band, and to make an appropriation therefor, 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 a substitute and recommendation that the substitute be adopted, and that when so adopted it do pass.

F. D. BAYLESS, *Chairman*.

Ordered passed on file, and the substitute ordered printed.

Also:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 159, 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.

F. D. BAYLESS, *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. 303, a bill for an act providing for the collection and preservation of historic records and other valuable materials pertaining to the history of Iowa, and making 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 the same do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

On motion of Senator Finn Senate file No. 3, a bill for an act providing for the payment of bank examinations, and fixing the fee for the same, was referred to the Committee on Banks without losing its place on the calender.

On motion of Senator Lawrence, House file No. 28, a bill for an act to authorize certain cities of the first class to issue bonds and provide for their payment, principal and interest, with report of committee, recommending that it do pass, was taken up and considered.

Senator Kegler offered the following amendment: To strike out the word "thirty" in the 4th line of section 2 and insert "fifteen."

Lost.

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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Vail, Weidman and Wolfe—45.

The nays were—none:

Absent or not voting:

Senators Cassatt, Funk, Schmidt, Taylor and Woolson—5

So the bill passed and the title was agreed to.

The hour having arrived for consideration of the special order, it being Senate file No. 113, a bill for an act to amend chapter 16, laws of the Twenty-second General Assembly, entitled: "An act granting additional powers to certain cities of the first class and to cities organized under special charters, and cities of the second class having over seven thousand inhabitants," it was, on motion of Senator Wolfe, suspended, and made a special order for next Tuesday, at 10 A. M.

On motion of Senator Dungan, Senate file No. 303, a bill for an act providing for the collection and preservation of historic records and other valuable materials pertaining to the history of Iowa, and making appropriations therefor, 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 Bailey, Ballingall, Barnett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—46.

The nays were—none.

Absent or not voting:

Senators Barrett, Cassatt, McVay, Reiniger—4.

So the bill passed and the title was agreed to.

On motion of Senator Caldwell, Senate file No. 260, a bill for an act to repeal section 1, chapter 10 of the laws of the 22d General Assembly, and to enact a substitute therefor, 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 considered engrossed and 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 Bailey, Ballingall, Barnett, Bayless, Bills, Bolter, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kent, Lawrence,

Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—45.

The nays were—none.

Absent or not voting:

Senators Barrett, Brower, Cassatt, Kelly, Schmidt—5.

So the bill passed and the title was agreed to.

On motion of Senator Funk Senate file No. 207, a bill for an act providing for funding indebtedness evidenced by warrants and the re-funding of bonded indebtedness for incorporated towns, and for the levy of taxes for the payment thereof, and fixing a penalty for the diversion of such taxes, 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 Bailey, Ballingall, Barnett, Bayless, Bills, Bolter, Brower, Cassatt, Cleveland, Clyde, Dodge, Dungan, Engle, Funk, Gatch, Goble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, McCoy, McVay, Meservey, Parrott, Perkins, Price, Reiniger, Rich, Seeds, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman—39.

The nays were—none.

Absent or not voting:

Senators Barrett, Caldwell, Davidson, Finn, Mattoon, Mills, Mosnat, Schmidt, Shields, Wolfe, Woolson—11.

So the bill passed and the title was agreed to.

The President announced as special committee on the part of the Senate provided for by House concurrent resolution relative to a committee to report mileage and expenses of visiting committees to State institutions, Senators Bailey and Mosnat.

The Journal of yesterday was corrected and approved.

On motion of Senator Dodge, Senate file No. 5, a bill for an act to recognize and establish Labor Day, being the 2d day of September, as a legal holiday, with report of committee recommending a substitute, and when adopted it do pass, was taken up and considered, and the report of the committee was adopted, and the substitute read a first and second times.

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 Bailey, Ballingall, Barnett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe and Woolson—47.

The nays were—none.

Absent or not voting:

Senators Barrett, Funk and Meservey—3.

So the bill passed and the title was agreed to.

On motion of Senator Reiniger, Senate file No. 15, a bill for an act providing for the submission of the question of calling a constitutional convention to the qualified electors of the State, as provided by section three (3), article ten (10), of the Constitution of the State, 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 be considered engrossed and 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 Bailey, Ballingall, Barnett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Clyde, Dungan, Engle, Finn, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Seeds, Shields, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—43.

The nays were—none.

Absent or not voting:

Senators Barrett, Davidson, Dodge, Funk, Kent, Schmidt, Smith of Linn—7.

Senator Wolfe moved to strike out the figures "3" and "10" in line 3, printed title of the bill.

Carried.

So the bill passed and the title, as amended, was agreed to.

REPORTS OF STANDING COMMITTEES.

Senator Woolson, from the Committee on Judiciary, submitted the following reports:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 58, a bill for an act to render privileged confidential communications to editors, publishers and reporters of newspapers, 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. 186, a bill for an act for the relief of F. Harbach, 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.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 204, a bill for an act amending and supplementary to chapter 56. of the acts of the 17th General Assembly of the State of Iowa, requiring that officers in certain cities may receive fixed salaries, and prohibiting the collection of any fees by such officers from counties for themselves or for the use and benefit of such 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 referred to the Committee on Compensation of Public Officers.

JNO. S. WOOLSON, *Chairman*.

Ordered so referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 205, a bill for an act amending and supplementary to chapter 134, acts of the 14th General Assembly of the State of Iowa, regarding the fees of justices of the peace and providing salaries for certain justices of the peace in lieu of 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 referred to the Committee on Compensation of Public Officers.

JNO. S. WOOLSON, *Chairman*.

Ordered so referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 216, a bill for an act to prevent champerty and maintenance in suits, beg leave to report 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. 261, a bill for an act to amend sections 674 and 3,077, and to repeal section 678 of the Code of Iowa, 1873, relating to official bonds and 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 referred to the Committee on Ways and Means.

JNO. S. WOOLSON, *Chairman*.

Ordered so referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 262, a bill for an act relating to county 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 be referred to the Committee on ways and Means.

JNO. S. WOOLSON, *Chairman*.

Ordered so referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 263, a bill for an act to prevent fraudulent transfers of property by State and county 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 be referred to the Committee on Ways and Means.

JNO. S. WOOLSON, *Chairman*.

Ordered so referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 330, a bill for an act to legalize the acts of the independent school district of Fremont, Mahaska county, Iowa, relating to voting bonds for the purpose of building a school house, beg leave to report 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.

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. 295, a bill for an act appropriating money to defray the expenses of the inauguration ceremonies.

Senate file No. 208, a bill for an act to amend sections 6 and 7, of chapter 159, of laws of Twentieth General Assembly, in relation to taxes in aid of railroads.

Senate file No. 88, a bill for an act to amend section 2077 of the Code of Iowa.

Also, that the House has concurred in the following:

Concurrent Resolution relative to adoption of report of Joint Committee on Rules.

Concurrent Resolution for printing appropriation bills.

Concurrent Resolution in relation to business of the session for Friday, Saturday and Monday.

Also, that the House has passed the following bills, in which the concurrence of the Senate is asked:

H. F. No. 70, a bill for an act to amend section 6, chapter 70, of the laws of 1884, 20th General Assembly.

H. F. No. 155, a bill for an act to legalize the incorporation of the town of Paulina, O'Brien county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town.

H. F. No. 94, a bill for an act to amend sections 289 and 290 of the Code of 1873, as amended by chapter 91, laws of the Twentieth General Assembly of the State of Iowa, relating to bonding of county indebtedness.

H. F. No. 134, a bill for an act to amend chapter 20 of the acts of the Twentieth General Assembly of Iowa, by including within the provisions thereof certain cities of the second class.

H. F. No. 127, a bill for an act to amend section 470 of the Code of Iowa, 1873, in relation to cities and incorporated towns.

H. F. No. 125, a bill for an act to amend chapter 10 of the acts of the Twenty-second General Assembly, relating to the issue of water works bonds.

HENRY S. WILCOX, *Chief Clerk.*

On motion of Senator Shields, Senate file No. 245, a bill for an act to amend sections 829 and 830 of the Code, relating to appeals from the board of equalization, and making the same applicable to cities under special charters, with report of committee recommending that it do pass, was taken up and considered.

Senator Shields 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 Bailey, Ballingall, Barnett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, Meservey, Mills, Mosnat, Parrott, Perkins, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, and Woolson—44.

The nays were—none.

Absent or not voting:

Senators Barrett, Cassatt, Dodge, McVay, Price, and Smith of Linn—6.

So the bill passed and the title was agreed to.

Senator Hanchett moved that Senate file No. 89, a bill for an act to regulate railroads and other common carriers, be referred to the Committee on Military.

Carried.

On motion of Senator Smith of Wright, Senate file No. 103, a bill for an act to amend section 456 of the Code of 1873, in relation to the

powers of cities and towns, with report of committee recommending that it do pass, was taken up and considered.

Pending which, Senator Weidman moved that the Senate do now adjourn until 9 o'clock A. M. to-morrow.

Carried, and the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, March 20, 1890. }

Senate met in regular session at 9 o'clock A. M.
Lieut. Gov. Poyneer in the chair.

INTRODUCTION OF BILLS.

By Senator Bills, Senate file No. 342, a bill for an act to amend section 4783, of chapter 200, of the acts of the 18th General Assembly, relating to the compensation of the officers of the penitentiaries.

Read first and second times and referred to the Committee on Compensation of Public Officers.

By Senator Weidman, Senate file No. 343, a bill for an act making an appropriation to help discharged convicts to an honest life.

Read first and second times and referred to the Committee on Penitentiaries and Pardons.

By Senator Kelly, Senate file No. 344, a bill for an act to accept and legalize the grant to the State of Iowa, made by the city of Iowa City, of certain rights and privileges in a public park and street in said city, as indicated by an ordinance of said city, passed March 7, 1890.

Read first and second times and referred to the Committee on Judiciary.

By Senator Smith of Linn, by request, Senate file No. 345, a bill for an act to secure more fully the independence of electors at public elections, to prevent intimidation and bribery, to secure the secrecy of the ballot and to provide for the use of Myers' patent American voting machine.

Read first and second times, and referred to the Committee on Elections.

By Senator Funk, Senate file No. 346, a bill for an act to amend section 3275, chapter 2, title 20 of the Code, of 1873.

Read first and second times and referred to the Committee on Judiciary.

By Senator Finn, Senate file No. 347, a bill for an act for securing and compiling information in regard to the increase of the cost of the public service from the year 1860, to the present time.

Read first and second times, and referred to the Committee on Retrenchment and Reform.

Senator Kent offered the following concurrent resolution:

Resolved by the Senate, the House concurring: That the lists of ex-soldiers and marines authorized by section 2, chapter 165, laws of the Twentieth General Assembly, now in the Adjutant General's possession, be disposed of as follows:

Fifty copies to be retained by the Adjutant General for distribution to Grand Army Posts, as the same may be hereafter established and the remainder to be equally distributed among the members of this General Assembly.

Adopted.

Senator Reiniger moved the adoption of a resolution introduced by himself March 14, relative to the compensation of superintendents and managers of State institutions whose compensation is not fixed by law.

Senator Finn assumed the chair.

The question being on the adoption of the resolution, it was adopted.

HOUSE MESSAGES.

House file No. 70, a bill for an act to amend section six (6) of chapter seventy (70) of the laws of 1884.

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

House file No. 155, a bill for an act to legalize the incorporation of the town of Paulina, O'Brien 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 Judiciary.

House file No. 125, a bill for an act to amend chapter 10 of the acts of Twenty-second General Assembly, relating to the issue of water works bonds.

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

House file No. 94, a bill for an act to amend sections 289 and 290 of the Code of 1873, as amended by chapter 91, laws of the Twenty-second General Assembly of the State of Iowa, relating to the bonding of county indebtedness.

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

House file No. 127, a bill for an act to amend section 470 of the Code of Iowa, 1873, in relation to cities and incorporated towns.

Read first and second times and referred to the Committee on Cities and towns.

House file No. 134, a bill for an act to amend chapter 20 of the acts of the Twentieth General Assembly of Iowa, by including within the provisions thereof certain cities of the second class.

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

REPORTS OF COMMITTEES.

Senator Parrott, of the Committee on Ways and Means, moved that said committee be granted until next Wednesday in which to report on the resolution previously referred to it relative to a two mill levy for state tax, and that 300 copies of the report of the receipts and disbursements of the state be ordered printed for the use of the Senate.

Carried.

REPORTS OF STANDING COMMITTEES.

Senator Davidson, from Committee on Enrolled Bills, submitted the following reports:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have examined Senate file No. 88, a bill for an act to amend section 2077, Code of Iowa, relating to interest.

Also:

Senate file No. 208, a bill for an act to amend sections six (6) and seven (7) of chapter one hundred and fifty-nine (159) of the laws of the Twentieth General Assembly of Iowa, in relation to taxes in aid of railroads.

Also:

Senate file No. 295, a bill for an act appropriating money to defray the expenses of the inauguration ceremonies, and find the same correctly enrolled.

D. B. DAVIDSON, *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. 322, a bill for an act to amend section one (1), chapter thirty-two (32), laws of the Eighteenth 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 by striking out of section 1 of the original bill all after the words "to-wit," in line 5 thereof, and insert in lieu thereof the following:

"Provided, however, That in any county within which any such street railway company desires to operate its line of railway over any highway, of not less than sixty-six feet in width, for a distance of not exceeding one hundred and twenty rods beyond the limits of any city or incorporated town to any State institution there situated, said railway to be operated by animal power only, the board of supervisors of such county may grant the right to such street railway so to operate

its line over said one hundred and twenty rods or less, and under such limitations, rules and regulations as said board of supervisors may prescribe;

"Provided further, That said board of supervisors shall have the power, and such power is hereby reserved to them, to rescind, amend or modify such grant, limitations, rules and regulations at any time it may so determine."

And also amend the title by adding thereto the following: *"Relating to extension of street railways over highways in certain cases."*

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 Senate file No. 259, a bill for an act to repeal section 103 of the acts of the Twenty-first General Assembly, relating to release of judgments, mortgages and deeds of trust by administrators, executors and guardians appointed in other States and countries, beg leave to report 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. 142, a bill for an act to amend section 3173, of the Code, limiting the right of appeal 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. 55, a bill for an act to repeal section one (1) of chapter seventeen (17), laws of the 22d General Assembly, 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.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 47, a bill for an act to legalize the ordinances, resolutions and proceedings of the council of the incorporated town of Albion, Marshall 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. 187, a bill for an act for the relief of Philip Roush, together with a petition accompanying 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.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Senator Vale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 68, a bill for an act to amend section 4215 of the Code of Iowa, relative to arrests by private persons, beg leave to report 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.

B. R. VALE, *Chairman*.

Ordered passed on file.

Senator Mills, from the Committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred S. F. No. 168, a bill for an act to establish and maintain 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 do pass.

W. D. MILLS, *Chairman*.

Referred to Committee on Appropriations.

Senator Smith of Linn, from the Committee on Cities and Towns, submitted the following reports:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 48, a bill for an act to amend chapter 39, acts of the Fifteenth General Assembly, in relation to supervisor 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.

J. H. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 255, a bill for an act providing the times and manner of certifying special assessments made by certain cities of the first class to the County Auditor for collection, and to legalize the certification and collection of assessments heretofore certified, beg leave to report 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 words "the word 'void' on" in line 12 of section 2, and inserting the word "opposite" in lieu thereof. Also, by inserting the words "on the tax-lists the words, 'certification cancelled' after the word 'assessment,'" in line 12 of section 2, and when so amended the bill do pass.

J. H. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred

Senate file No. 279, a bill for an act to amend section 506 of the Code, relating to fees of Mayors of cities and incorporated towns, beg leave to report 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 Committee on Compensation of Public Officers.

J. H. SMITH, *Chairman*.

Ordered passed on file.

Senator Dungan, from the Committee on Mines and Mining, submitted the following reports:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate file No. 268, a bill for an act to amend section 10, chapter 21, acts of the Twentieth General Assembly and section 3, chapter 56, of the Twenty-second General Assembly, relating to Mines and Mining, beg leave to report 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 words "words pure" and in lieu thereof supply "word" in both lines 5 and 8 of the original bill, and as 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. 251, a bill for an act to prescribe liabilities of mine operators for negligence or wrongs of their agents or 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 withdrawn and the original bill be returned by request to the author.

WARREN S. DUNGAN, *Chairman*.

So ordered.

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

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate file No. 76, a bill for an act to repeal section 307, of the Code, and enact a substitute therefor, in relation to the publishing of the proceedings of the 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 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. 312, a bill for an act in relation to the printing, binding, and distribution of public 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 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. 282, a bill for an act to amend section one, chapter 86, laws of the Twenty-first General Assembly, relating to 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 it be indefinitely postponed.

A. B. FUNK, *Chairman*.

Ordered passed on file.

Senator Lawrence, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate file No. 116, a bill for an act to amend sections 603, 606, 615 and 616 of chapter 3, title 5 of the Code, relating to 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 for indefinite postponement.

J. S. LAWRENCE, *Chairman*.

Ordered passed on file.

Senate file No. 239, a bill for an act to authorize the Adjutant-General to organize or contract for the organization of, or contract for the services of a military band, to be known as the Iowa State Military Band, and to make an appropriation therefor, was, on motion of Senator Kelly, with report of Committee on Military recommending a substitute and when adopted that it do pass, taken up for consideration and referred to the Committee on Appropriations.

Lieutenant-Governor Poyneer again resumed the chair.

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. 88, 208 and 295.

H. S. WILCOX, *Chief Clerk*.

On motion of Senator Kent, the concurrent resolution relative to claim of Washington Galland, with report of committee, recommending that it do pass, was taken up and considered, and adopted.

On motion of Senator Davidson, Senate file No. 136, a bill for an act to amend section 8, chapter 200 of the acts of the Twentieth General Assembly, relating to highways, with report of committee recommending that it do pass, was taken up and considered.

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 Bailey, Ballingall, Barnett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Lawrence, Mack, Mattoon, McCoy, McVay, Mills, Mosnat, Parrott, Price, Reiniger, Rich, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Vale, Weidman, Wolfe—40.

The nays were—none.

Absent or not voting:

Senators Barrett, Cassatt, Dodge, Kelly, Kent, Meservey, Perkins, Schmidt, Taylor, Woolson—10.

So the bill passed and the title was agreed to.

On motion of Senator Smith of Wright Senate file No. 135, a bill for an act to amend section 456 of the Code of 1873, in relation to powers of cities and towns, with report of committee recommending a substitute, and when adopted do pass, was taken up, considered, and the substitute reported by the committee was adopted.

Senator Smith of Wright 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 Bailey, Ballingall, Barnett, Bayless, Bills, Bolter, Caldwell, Cleveland, Clyde, Davidson, Dungan, Engle, Funk, Gobble, Groneweg, Hanchett, Kegler, Kelly, Mack, Mattoon, McCoy, Mills, Mosnat, Parrott, Perkins, Reiniger, Rich, Seeds, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe—34.

The nays were:

Senators Harsh and Lawrence—2.

Absent or not voting:

Senators Barrett, Brower, Cassatt, Dodge, Finn, Gatch, Kent, McVay, Meservey, Price, Schmidt, Shields, Smith of Linn, Woolson—14.

So the bill passed and the title was agreed to.

On motion of Senator Smith of Wright, Senate file No. 55, a bill for an act to amend section number nine hundred and six (906) of the Code relating to peddlers, with report of Committee on Commerce recommending amendments, and that as so amended it do pass, was taken up and referred to the Committee on Judiciary.

On motion of Senator McCoy, Senate file No. 330, a bill for an act to legalize the acts of the independent school district of Fremont, Mahaska county, Iowa, relating to voting lands for the purpose of school houses, 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 considered engrossed and 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 Bailey, Ballingall, Barnett, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Taylor, Vale, Weidman, Wolfe, Woolson—37.

The nays were—none.

Absent or not voting:

Senators Barrett, Bayless, Cassatt, Dodge, Kelly, Meservey, Mosnat, Rich, Schmidt, Shields, Smith of Linn, Smith of Wright, Stewart—13.

So the bill passed and the title was agreed to.

On motion of Senator Bayless, Senate file No. 105, a bill for an act to amend section 17, chapter 94, laws of the Nineteenth General Assembly, with report of committee recommending amendments and when adopted that it do pass, was taken up, considered, and the amendment reported by the committee was 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 Bailey, Ballingall, Barnett, Bayless, Bills, Caldwell, Cleveland, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Harsh, Kegler, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Perkins, Price, Reiniger, Rich, Seeds, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman—35.

The nays were:

Senators Bolter, Engle, Hanchett, Woolson—5.

Absent or not voting:

Senators Barrett, Brower, Cassatt, Dodge, Kelly, Kent, Parrott, Schmidt, Shields—10.

So the bill passed and the title was agreed to.

Senator Woolson filed the following explanation of his vote:

I do not favor the law now in force in this matter. Its theory—that of making a minimum for allowance to be made by the board of supervisors—I do not believe correct. In my judgment a maximum for allowance is the proper rule. But that maximum should be sufficient to cover all probable cases. So long as the board of supervisors may cut down the charge to such as they may find proper, we may

safely fix the charge higher than otherwise. The original bill I heartily supported, fixing this maximum at seventy cents. But there are a great number of cases where fifty cents is not a reasonable charge if proper care and attention is given the prisoners and a plain but wholesome diet afforded. The bill as it now stands tends to reduce the treatment of prisoners below that which a humane and proper regard for their condition will justify. I would oppose, as vigorously as I am able, any attempt at extravagant treatment of prisoners or extravagant pay to the jailor. But I would as vigorously demand just and proper treatment of both. I vote "no" on the passage of this bill.

JNO. S. WOOLSON, *Senator 10th District.*

On motion of Senator Kegler, Senate file No. 195, 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 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 Baily, Ballingall, Barnett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Finn, Funk, Gatch, Gobble, Harsh, Kegler, Kent, Lawrence, Mack, McCoy, McVay, Meservey, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—41.

The nays were—none.

Absent or not voting:

Senators Barrett, Cassatt, Engle, Groneweg, Hanchett, Kelly, Mattoon, Mills, Schmidt—9.

So the bill passed and the title was agreed to.

On motion of Senator Mack, Senate file No. 10, a bill for an act to repeal sections 1, 2, 3, 4, of chapter 12, of the acts of the Eighteenth General Assembly, relative to the management of the permanent school fund, and to enact substitutes therefor, with report of committee recommending that it do pass, was taken up and considered.

Senator Finn moved to amend by striking out the maximum "seven," in section 1, and inserting "eight."

Senator Clyde moved to recommit the bill to the Committee on Ways and Means.

Pending which Senator Meservey moved that further consideration of this matter be postponed until 10:30 o'clock A. M., next Tuesday, and that it be made a special order for that hour.

Carried.

REPORTS OF STANDING COMMITTEES.

Senator Davidson, 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:

Senate file No. 88, a bill for an act to amend section 2077, Code of Iowa, relating to interest.

Also, Senate file No. 206, a bill for an act to amend sections six (6) and seven (7) of chapter one hundred and fifty-nine (159), of the laws of the Twentieth General Assembly of Iowa, in relation to taxes in aid of railroads.

Also, Senate file No. 295, a bill for an act appropriating money to defray the expenses of the inauguration ceremonies.

D. B. DAVIDSON, *Chairman*.

The journal of yesterday was corrected and approved.

Senator Woolson offered the following:

WHEREAS, The printed bills, as placed upon the desks of Senators have at times been found in important particulars to differ from the original bills as the same were sent to the State Printer.

Therefore, resolved, by the Senate, that the State Printer is hereby directed to cause all printed Senate bills, resolutions, etc., to be carefully compared with and corrected to conform to the originals furnished him, and especially that neither enacting clause nor other matter is added by the printer, to that contained in such original.

Adopted.

On motion of Senator Bayless, Senate file No. 159, a bill for an act to amend the Military Code, was taken up and referred to Committee on Appropriations.

On motion of Senator McVay, the Senate adjourned until 7:45 this evening.

EVENING SESSION.

The Senate met at 7:45 p. m., pursuant to adjournment.

Lieut.-Gov. Poyneer in the chair.

A committee from the House appeared and informed the Senate that the House was ready to receive the Senate in joint convention.

The President announced as teller on the part of the Senate, Senator Mack.

The following pairs were announced: Funk with Ballingall, Shields with Gatch, Cleveland with Brower, Finn with Gobble, Barrett with Wolfe.

The President requested the Senate to accompany him to the hall of the House.

JOINT CONVENTION.

The joint convention was called to order by Lieut-Gov. A. N. Poyneer, who announced the business of the joint convention to be the election of Trustees and Directors to the various State institutions and Regents of the State University.

Senator Mack was announced as teller on behalf of the Senate.

The following pairs were announced on the part of the Senate:

Senator Funk with Ballingall, Barnett with Wolfe, Gatch with Shields, Cleveland with Brower, Finn with Gobble.

The following pairs were announced on behalf of the House:

Addie with Law, Gates with Mack, McDermid with Walker, Gardiner of Clinton with Blythe, Clark with Walden, Johnston of Bremer with Dolph, Ware with Dobson, Glattly and Yergey.

The roll was called and the following found to be present:

Messrs. Arnold, Austin, Bailey, Ball, Bills, Bolter, Briggs, Brown, Byers, Caldwell, Cassett, Chamberlin, Chantry, Chase, Clarke, Clyde, Coyle, Cutting, Davidson, Dodge, Dungan, Eilers, Ellis, Engle, Estes, Field, Funk, Gardner of Washington, Graesser, Hamilton, Hanchett, Harsh, Hart, Head, Hendershot, Hipwell, Hobbs, Holbrook, Holiday, Hornish, Horton, Hospers, Hotchkiss, Jewell of Mahaska, Jewett, Johnston of Bremer, Johnston of Dubuque, Kent, Knoll, Kyte, Lane, Letovsky, Lewis, Mack of Buena Vista, Marti, Mattoon, McCarthy, McDermid, McFarland, McGavren, McVay,

Mercer, Meservey, Mills, Mitchell, Monk, Morison, Morrow, Mosnat, Oakman, Parrott, Paschal, Perkins, Powers, Price, Reiniger, Rich, Roe, Roundy, Russell, Seeds, Shields, Shipley, Smith of Boone, Smith of Des Moines, Smith of Linn, Smith of Sac, Smith of Wright, Soesbe, Steele, Stewart of Polk, Stewart of Poweshiek, Taylor, Townsend, Vale, Van Gilder, Weidman, Wilson, Woolson, Wyman, Young—101.

Absent:

Messrs. Addie, Ballingall, Barnett, Barrett, Bayless, Beem, Blythe, Brower, Cleveland, Davie, Dayton, Dent, Dobson, Dolph, Eckles, Ewart, Felkner, Finn, Gardiner of Clinton, Gatch, Gates, Gilbert, Gitchell, Glatly, Gobble, Groneweg, Jewell of Winneshiek, Kegler, Kelly, Law, Lawrence, Luke, Lund, Mack of Madison, McCoy, Nemmers, Potter, Richman, Schmidt, Smith of Mitchell, Smith of Wapello, Tade, Thornburg, Walden, Walker, Ware, Wolfe, Woods, Yergey—49.

Senator Seeds offered the following, and moved its adoption :

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 Trustees and directors of the various State institutions, to-wit:

TRUSTEES OF THE IOWA COLLEGE FOR THE BLIND.

Jacob Springer, Benton county.....	4 years.
August Critzman, Butler county.....	4 years.
L. Levy, Bremer county	4 years.

**DIRECTORS OF THE SCHOOL FOR THE INSTRUCTION AND TRAINING OF
TEACHERS AT CEDAR FALLS.**

E. G. Cooley, Howard county.....	6 years.
J. W. Satterthwait, Henry county.....	6 years.

TRUSTEES OF THE IOWA HOSPITAL FOR THE INSANE AT MT. PLEASANT.

Samuel Klein, Lee county.....	4 years.
Geo. H. Spahr, Henry county.....	4 years.
G. W. Cullison, Shelby county.....	4 years.

TRUSTEES OF THE IOWA HOSPITAL FOR THE INSANE AT INDEPENDENCE.

C. W. Fillmore, Clay county.....	4 years.
Albert Reynolds, Clinton county.....	4 years.

TRUSTEES OF THE IOWA HOSPITAL FOR THE INSANE AT CLARINDA.

M. N. Spencer, Montgomery county....	6 years.
Ed. H. Hunter, Polk county	6 years.

TRUSTEES OF THE IOWA SOLDIERS' ORPHANS' HOME.

J. G. Brown, Marshall county.....	4 years.
Sarah L. T. Hutchison, Wapello county.....	6 years.
A. P. Doe, Scott county.....	2 years.

TRUSTEES OF THE IOWA INDUSTRIAL SCHOOLS.

Thomas E. Corkhill, Henry county.....	6 years.
Mrs. Marian Loomis, Fayette county, to fill vacancy.....	2 years.

TRUSTEES OF THE INSTITUTION FOR FEEBLE-MINDED.

R. McGavren, Harrison county.....	6 years.
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TRUSTEES OF THE IOWA INSTITUTION FOR DEAF AND DUMB.

C. S. Ranck, Johnson county.....	6 years.
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TRUSTEES OF THE IOWA AGRICULTURAL COLLEGE AND FARM.

Third District—Josiah S. Jones, Delaware county.....	6 years.
Sixth District—W. O. McElroy, Jasper county.....	6 years.
Seventh District—Chas. F. Saylor, Polk county, for unexpired term, 4 years.	
Ninth District—John H. Wood, Cass county.....	6 years.

On this the roll was called with the following result:

Those voting yea were:

Messrs. Arnold, Austin, Bailey, Ball, Bills, Bolter, Briggs, Byers, Caldwell, Chamberlin, Chantry, Chase, Cutting, Davidson, Dodge, Dungan, Eckles, Eilers, Ellis, Engle, Estes, Field, Gardner of Washington, Hamilton, Hanchett, Harsh, Hart, Head, Hendershot, Hipwell, Hobbs, Holiday, Horton, Hospers, Hotchkiss, Jewell of Mahaska, Jewett, Johnston of Bremer, Johnson of Dubuque, Kent, Knoll, Lane, Lawrence, Letovsky, Lewis, Mack of Buena Vista, Mattoon, McCarthy, McDermid, McFarland, McGavren, McVay, Mercer, Meserve, Mills, Mitchell, Monk, Morison, Morrow, Oakman, Parrott, Paschal, Perkins, Powers, Price, Reiniger, Rich, Roe, Roundy, Russell, Seeds, Shipley, Smith of Boone, Smith of Des Moines, Smith of Linn, Smith of Sac, Smith of Wright, Soesbe, Steele, Stewart of Polk, Stewart of Poweshiek, Taylor, Thornburg, Townsend, Vale, Van Gilder, Weidman, Wilson, Woods, Woolson, Wyman, Young—92.

The nays were—none.

Absent or not voting:

Messrs. Addie, Ballingall, Barnett, Barrett, Bayless, Beem, Blythe, Brower, Brown, Cassatt, Clarke, Cleveland, Clyde, Coyle, Davie, Dayton, Dent, Dobson, Dolph, Ewart, Felkner, Finn, Funk, Gardiner of Clinton, Gatch, Gates, Gilbert, Gitchell, Glattly, Gobble, Graeser, Gro-

neweg, Holbrook, Hornish, Jewell of Winneshiek, Kegler, Kelly, Kyte, Law, Luke, Lund, Mack of Madison, Marti, McCoy, Mosnat, Nemmers, Potter, Richman, Schmidt, Shields, Smith of Mitchell, Smith of Wapello, Tade, Walden, Walker, Ware, Wolfe, Yergey—48.

So the resolution was adopted.

Senator Bolter offered the following, and moved its adoption.

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:

Third District, Alphonse Matthews, Dubuque county6 years.

Fourth District, Alonzo Abernethy, Mitchell county.....6 years.

Eighth District, C. A. Stanton, Appanoose county.....2 years.

Tenth District, B. F. Osborn, Greene county.....6 years.

Eleventh District, C. E. Whiting, Monona county6 years.

Senator Price called for a division of the question, which was made.

The question being upon the election of Alphonse Mathews, of Dubuque county, for the term stated.

On this question the yeas were:

Messrs. Arnold, Austin, Bailey, Ball, Bills, Bolter, Briggs, Chamberlin, Chantry, Chase, Cleveland, Davidson, Dodge, Dungan, Eckles, Eilers, Ellis, Estes, Field, Gardner of Washington, Hanchett, Harsh, Head, Hendershot, Hornish, Horton, Hotchkiss, Johnston of Bremer, Johnston of Dubuque, Kent, Knoll, Kyte, Lawrence, Letovsky, Lewis, Marti, Mattoon, McDermid, McFarland, McGavren, McVay, Mercer, Meservey, Monk, Morison, Mosnat, Perkins, Powers, Rich, Roe, Roundy, Russell, Seeds, Smith of Des Moines, Smith of Linn, Smith of Wapello, Steele, Stewart of Polk, Taylor, Vale, Van Gilder, Wilson, Woods, Woolson, Young—65.

The nays were:

Messrs. Coyle, Cutting, Engle, Holiday, Jewell of Mahaska, Mills, Oakman, Price, Shipley, Smith of Boone, Smith of Sac, Thornburg, Weidman, Wyman—14.

Absent or not voting:

Messrs. Addie, Ballingall, Barnett, Barrett, Bayless, Beem, Blythe, Brower, Brown, Byers, Clarke, Clyde, Davie, Dayton, Denu, Dobson, Dolph, Ewart, Felkner, Finn, Funk, Gatch, Gates, Gilbert, Gitchell, Glatly, Gobble, Graeser, Hamilton, Hart, Hipwell, Hobbs, Holbrook, Hoppers, Jewell of Winneshiek, Jewett, Kegler, Kelly, Lane, Law, Luke, Lund, Mack of Buena Vista, Mack of Madison, McCarthy, McCoy, Mitchell, Morrow, Nemmers, Parrott, Paschal, Potter, Reiniger, Richman, Schmidt, Shields, Smith of Mitchell,

Smith of Wright, Soesbe, Stewart of Poweshiek, Tade, Townsend, Walden, Walker, Ware, Wolfe, Yergey—67.

Representative Smith of Boone, explained his vote as follows:

If a change in the management of this institution is not absolutely necessary, it is perfectly safe to make one, therefore I vote no.

When his name was called, Senator Perkins explained his vote as follows:

While I have no approval for any misconduct of the Regents of the State University, my constituents did not send me here to crucify an honorable man even though he may be a democrat, and as I have a keen regard for the honorable agreement of the party of which I am a member, I now vote aye.

Representative Van Gilder explained his vote as follows:

In view of the fact that a majority of the committee sent to investigate the University by the Twenty-second General Assembly, have exonerated the gentleman now before this convention, from responsibility in the charges embraced in their report, I vote aye.

Senator Mills and Representatives Hotchkiss, Powers, Young, also explained their votes.

So the 1st division of the resolution was adopted.

The question now being on the adoption of the second part of the question, it being the election of Mr. Alonzo Abernethy of Mitchell county, Mr. C. A. Stanton of Appanoose county, Mr. B. T. Osborn of Greene county, and Mr. C. E. Whiting of Monana county, for the term stated.

The yeas were:

Messrs. Arnold, Austin, Bailey, Ball, Bills, Bolter, Briggs, Byers, Chamberlin, Chantry, Cleveland, Clyde, Cutting, Dodge, Dungan, Eckles, Eilers, Ellis, Engle, Estes, Gardner of Washington, Hamilton, Hanchett, Harsh, Hart, Head, Hendershot, Holiday, Hornish, Horton, Hotchkiss, Jewell of Mahaska, Jewett, Johnston of Bremer, Johnson of Dubuque, Kent, Knoll, Lane, Letovsky, Lewis, Mattoon, McDermid, McFarland, McGavren, McVay, Mercer, Meservey, Mills, Monk, Oakman, Perkins, Powers, Price, Reiniger, Rich, Roe, Roundy, Russell, Shipley, Smith of Boone, Smith of Des Moines, Smith of Sac, Smith of Wapello, Smith of Wright, Steele, Taylor, Thornburg, Vale, Van Gilder, Ware, Weedman, Wilson, Woods, Woolson, Wyman, Young—76.

The nays were—none.

Absent or not voting:

Messrs. Addie, Ballingall, Barnett, Barrett, Bayless, Beem, Blythe, Brower, Brown, Caldwell, Cassatt, Chase, Clarke, Coyle, Davidson,

Davie, Dayton, Dent, Dobson, Dolph, Ewert, Felkner, Field, Finn, Funk, Gatch, Gates, Gilbert, Gitchell, Glattly, Gobble, Graeser, Grone-
weg, Hipwell, Hobbs, Holbrook, Hospers, Jewell of Winneshiek,
Kegler, Kelly, Kyte, Law, Lawrence, Luke, Lund, Mack of Buena Vista,
Mack of Madison, Marti, McCarthy, McCoy, McDermid, Mitchll,
Morison, Morrow, Mosnat, Nemmers, Parrott, Paschal, Potter, Rein-
inger, Richman, Schmidt, Seeds, Shields, Smith of Linn, Smith of
Mitchell, Soesbe, Stewart of Polk, Stewart of Poweshiek, Tade, Town-
send, Walden, Walker, Wolfe, Yergey—71.

So the second division of the question was adopted, and the chair announced that the resolution were adopted as a whole.

Whereupon, the following certificates were signed in the presence of the joint convention:

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 20, 1890. }

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 20th day of March, A. D. 1890, for the purpose of electing Trustees for the College for the Blind, August Critzman, of Butler county, having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the College for the Blind 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 20th day of March, A. D. 1890.

A. N. POYNEER,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 20, 1890. }

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 20th day of March, A. D. 1890, for the purpose of electing Trustees for the College for the Blind, Jacob Springer, of Benton county, having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the College for the Blind 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 20th day of March, A. D. 1890

A. N. POYNEER,

President of the Senate

J. T. HAMILTON,

Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,

Teller of the Senate.

L. A. MITCHELL,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 20, 1890. }

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 20th day of March, A. D., 1890, for the purpose of electing Trustees for the College for the Blind, L. Levy, of Bremer county, having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the College for the Blind 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 20th day of March, A. D. 1890.

A. N. POYNEER,

President of the Senate.

J. T. HAMILTON,

Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,

Teller of the Senate.

L. A. MITCHELL,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 20, 1890. }

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 20th day of March, A. D. 1890, for the purpose of electing Directors for Normal School at Cedar Falls, E. G. Cooley, of Howard county, having received a majority of all the votes cast for said office, was declared duly elected Director of the Normal School at Cedar Falls, 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 20th day of March, A. D. 1890.

A. N. POYNEER,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 20, 1890. }

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 20th day of March, A. D. 1890, for the purpose of electing Directors of the Normal School at Cedar Falls, J. W. Satterthwait, of Henry county, having received a majority of all the votes cast for said office, was declared duly elected Director of the Normal School at Cedar Falls 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 20th day of March, A. D. 1890.

A. N. POYNEER,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 20, 1890. }

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 20th day of March, A. D. 1890, for the purpose of electing Trustees for the Hospital for Insane at Mt. Pleasant, Samuel Klein, of Lee county, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Hospital for Insane at Mt. Pleasant 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 20th day of March, A. D. 1890.

A. N. POYNEER,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 20, 1890. }

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 20th day of March, A. D. 1890, for the purpose of electing Trustees for the Hospital for Insane at Mt. Pleasant, Geo. H. Spahr, of Henry county, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Hospital for Insane at Mt. Pleasant 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 20th day of March, A. D. 1890.

A. N. POYNEER,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 20, 1890. }

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 20th day of March, A. D. 1890, for the purpose of electing Trustees for the Hospital for the Insane at Mt. Pleasant, G. W. Cullison, of Shelby county, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Hospital for the Insane at Mt. Pleasant 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 20th day of March, A. D. 1890.

A. N. POYNEER,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 20, 1890. }

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 20th day of March, A. D. 1890, for the purpose of electing Trustees for the Hospital for the Insane, at Independence, Albert Reynolds, of Clinton county, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Hospital for the Insane at Independence, 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 20th day of March, A. D. 1890.

A. N. POYNEER,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, March 20, 1890. }

This is to certify, that at an election of the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 20th day of March, A. D. 1890, for the purpose of electing Trustees for the Hospital for the Insane at Independence, C. W. Fillmore, of Clay county, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Hospital for the Insane, at Independence, 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 20th day of March, A. D. 1890.

A. N. POYNEER,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives

ATTEST.

EDGAR E. MACK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, March 20, 1890. }

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 20th day of March, A. D. 1890, for the purpose of electing Trustees for the Hospital for the Insane at Clarinda, M. N. Spencer, of Montgomery county, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Hospital for the Insane at Clarinda, 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 20th day of March, A. D. 1890.

A. N. POYNEER,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, Iowa, March 20, 1890. }

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 20th day of March, A. D. 1890, for the purpose of electing Trustees for the Hospital for the Insane at Clarinda, Ed. H. Hunter, of Polk county, having received a majority of all the votes cast for said office, was declared duly elected Trustee of the Hospital for the Insane at Clarinda 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 20th day of March, A. D. 1890.

A. N. POYNERR,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, Iowa, March 20, 1890. }

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 20th day March, A. D. 1890, for the purpose of electing Trustees for the Soldiers' Orphans' Home, A. P. Doe, of Scott county, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Soldiers' Orphans' Home, 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 20th day of March, A. D. 1890.

A. N. POYNEER,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 20, 1890. }

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 20th day of March, A. D. 1890, for the purpose of electing Trustees for the Soldiers' Orphans' Home, Sarah L. T. Hutchison, of Wapello county, having received a majority of all the votes cast for said office, was declared duly elected Trustee of the Soldiers' Orphans' Home for the term of six years from and after the expiration of the term of the present incumbent, and until her successor is elected and qualified.

Signed in the presence of the joint convention this 20th day of March, A. D. 1890.

A. N. POYNEER,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 29, 1890. }

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 20th day of March, A. D. 1890, for the purpose of electing Trustees for the Soldiers' Orphans' Home, J. G. Brown, of Marshall county, having received a majority of all the votes cast for said office, was declared duly elected Trustee of the Soldiers' Orphans' Home 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 20th day of March, A. D. 1890.

A. N. POYNEER,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 20, 1890. }

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 20th day of March, A. D. 1890, for the purpose of electing Trustees for the Industrial Schools, Thomas E. Corkhill, of Henry county, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Industrial Schools 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 20th day of March, A. D. 1890.

A. N. POYNEER,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives.

ATTEST

EDGAR E. MACK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 20, 1890. }

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 20th day of March, A. D. 1890, for the purpose of electing Trustees for the Industrial Schools, Miss Marion Loomis, of Fayette county, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Industrial Schools for the term of two years from and after the expiration of the term of the present incumbent, and until her successor is elected and qualified, to fill a vacancy.

Signed in the presence of the joint convention, this 20th day of March, A. D. 1890.

A. N. POYNEER,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 20. 1890. }

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 20th day of March, A. D. 1890, for the purpose of electing Trustees for the Institution for the Deaf and Dumb, C. S. Ranck, of Johnson county, having received a majority of all the votes cast for said office, was declared duly elected trustee for the Institution for the Deaf and Dumb, 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 20th day of March, A. D. 1890.

A. N. POYNEER.

President of the Senate,

J. T. HAMILTON,

Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,

Teller of the Senate.

L. A. MITCHELL,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES. }
DES MOINES, IOWA, March 20, 1890. }

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 20th day of March, A. D. 1890, for the purpose of electing Trustees for the Institution for the Feeble-Minded, R. McGavren, of Harrison county, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Institution for Feeble-Minded, 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 20th day of March, A. D. 1890.

A. N. POYNEER,

President of the Senate.

J. T. HAMILTON,

Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,

Teller of the Senate.

L. A. MITCHELL,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 20, 1890. }

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 20th day of March, A. D. 1890, for the purpose of electing Trustees for the Agricultural College and Farm, John H. Wood, of Cass county, having received a majority of all the votes cast for said office, was declared duly elected Trustee of the Agricultural College and Farm 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 20th day of March, A. D. 1890.

A. N. POYNEER,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 20, 1890. }

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 20th day of March, A. D. 1890, for the purpose of electing Trustees for the Agricultural College and Farm, W. O. McElroy, of Jasper county, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Agricultural College and Farm, 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 20th day of March, A. D. 1890.

A. N. POYNEER,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 20, 1890. }

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 20th day of March, A. D. 1890, for the purpose of electing Trustees of the Agricultural College and Farm, Chas. F. Saylor, of Polk county, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Agricultural College and Farm for the term of four years, to fill a vacancy.

Signed in the presence of the joint convention, this 20th day of March, A. D. 1890.

A. N. POYNEER,

President of the Senate.

J. T. HAMILTON,

Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,

Teller of Senate.

L. A. MITCHELL,

Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 20, 1890. }

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 20th day of March, A. D. 1890, for the purpose of electing Trustees for the Agricultural College and Farm, Josiah S. Jones, of Delaware county, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Agricultural College and Farm 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 20th day of March, A. D. 1890.

A. N. POYNEER,

President of the Senate.

J. T. HAMILTON,

Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,

Teller of the Senate.

L. A. MITCHELL,

Teller of the House of Representatives.

HALL OF THE HOULE OF REPRESENTATIVES, }
DES MOINES, IOWA, March, 20, 1890. }

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 20th day of March, A. D. 1890, for the purpose of electing Regents for the State University, Alphonse Matthews, of Dubuque county, having received a majority of all the votes cast for said office, was declared duly elected Regent for 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 20th day of March, A. D. 1890.

A. N. POYNEER,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 20, 1890. }

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 20th day of March, A. D. 1890, for the purpose of electing Regents for the State University, Alonzo Abernethy, of Mitchell county, having received a majority of all the votes cast for said office, was declared duly elected Regent for 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 20th day of March, A. D. 1890.

A. N. POYNEER,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March, 20, 1890. }

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 20th day of March, A. D. 1890, for the purpose of electing Regents for the State University, C. A. Stanton, of Appanoose county, having received a majority of all votes cast for said office, was declared duly elected Regent for State University for the term of two years, to fill a vacancy.

Signed in the presence of the joint convention, this 20th day of March, A. D. 1890.

A. N. POYNEER,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 20, 1890. }

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 20th day of March A. D. 1890, for the purpose of electing Regents for the State University, B. F. Osborn, of Greene county, having received a majority of all the votes cast for said office, was declared duly elected Regent for 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 20th day of March, A. D. 1890.

A. N. POYNEER,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, Iowa, March 20, 1890. }

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 20th day of March, A. D. 1890, for the purpose of electing Regents for the State University, C. E. Whiting, of Monona county, having received a majority of all the votes cast for said office, was declared duly elected Regent for 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 20th day of March, A. D. 1890

A. N. POYNEER,
President of the Senate.

J. T. HAMILTON,
Speaker of the House of Representatives.

ATTEST:

EDGAR E. MACK,
Teller of the Senate.

L. A. MITCHELL,
Teller of the House of Representatives.

Senator Woolson then offered the following, and moved its adoption:

Resolved, That the clerk of this joint convention be instructed to wait upon the Governor, and present the credentials of the newly elected officers of the several State institutions.

Adopted.

The minutes of the convention were read and approved.

On motion of Senator Taylor the joint convention dissolved.

The Senate reconvened after the joint session at 11 o'clock P. M.
On motion of Senator Reiniger the Senate adjourned until 10 o'clock A. M. to-morrow.

SENATE CHAMBER, }
DES MOINES, IOWA, Friday, March 21, 1890. }

Senate met in regular session at 10 o'clock A. M.

Lieutenant-Governor Poyneer in the chair.

Prayer by Rev. W. A. Black.

PETITIONS AND MEMORIALS.

Senator Schmidt presented petition of Local Assembly 2179, K. of L., for district ownership of text-books and various other reforms, and petition of school board of city of Davenport in opposition, and protesting against compelling a state uniformity of text-books.

Referred to Committee on Schools.

Senator Mosnat presented petitions of C. P. Feddersen and C. F. Buhmen and 212 others of Tama county, and Thomas Wolfe and 38 others of Benton county, asking that the prohibitory law be repealed and a license law be enacted in lieu thereof.

Referred to Committee on Suppression of Intemperance.

Also, petition of C. P. Hosmer and other business men of Benton county asking for a change in the exemption laws.

Referred to Committee on Commerce.

Senator Bailey presented petition of S. A. Converse and 27 other citizens of Cresco, Iowa, in favor of joint rates on railways.

Referred to Committee on Railways.

Senator Bailey presented petition of S. A. Converse and 31 other citizens of Cresco, Iowa, favoring district uniformity and free text-books in school districts.

Referred to Committee on Schools.

Senator Ballingall presented petition of the State business men's association of Iowa, of 64 citizens of Ottumwa, asking for a change in the exemption law.

Referred to Committee on Judiciary.

Senator Barnett presented petition of J. F. Wellons and 15 others, citizens of Warren county, asking the Twenty-third General Assembly to amend the law and making it the duty of Railroad Commissioners to establish joint rates and to decide all disputes arising therefrom.

Referred to Committee on Railways.

Also, petition of J. C. Douglass and 18 others, citizens of Warren county, asking legislation relative to text-books, that they be not changed for five years and that it be optional with the district, whether furnished free, sold at cost, or reasonable rental.

Referred to Committee on Schools.

Also, petition of Ed. R. McKee, N. P. Shepherd and G. A. Worth, and 89 others, citizens, tax-payers and business men of Indianola, Warren county, asking for the enactment of Senate file No. 38, relating to taxation of banks as firms and not as individual stock-owners.

Leave granted to withdraw.

Senator Bayless presented petition of C. B. Roe and A. E. Axtell and 77 other citizens of Clayton county, favoring district selection and district purchase of school text-books.

Referred to Committee on Schools.

Also, petition of L. B. Blanchard and 16 other citizens of Clayton county, asking for a change in the exemption laws.

Referred to Committee on Ways and Means.

Senator Cleveland presented memorial of Harlan Post 197, G. A. R., Harlan, Iowa, asking an appropriation for hospital at Soldiers' Home at Marshalltown.

Referred to Committee on Appropriations.

Also, petition of Frank Faltonson and 30 other residents of Shelby county, asking that joint rates be established.

Referred to Committee on Railways.

Senator Davidson presented resolutions of Montana Division No. 6, Brotherhood of Locomotive Engineers, relative to licensing engineers.

Referred to Committee on Commerce.

Senator Dodge presented petition of A. H. Richter, favoring the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Dungan presented petition of David Harding Post No. 28, Allerton, Iowa, also of Frank Nolan Post No. 208, Russell, Iowa, also of Grigsby Foster Post No. 320, all protesting against an appropriation for a soldiers' monument.

Referred to Committee on Appropriations.

Senator Dungan presented petition of board of directors of the district township of Benton, Wayne county, Iowa, protesting against State uniformity.

Referred to Committee on Schools.

Senator Engle presented petition of H. L. Moffit and 272 others of Newton, Iowa, asking for increase of bounty for wolf scalps.

Leave granted to withdraw.

Senator Finn presented petitions of Miles Morrison and Evans Brothers and other citizens of Taylor county, in reference to the exemption of earnings of a debtor from execution.

Referred to Committee on Commerce.

Senator Gatch presented petition of B. N. Kenyon for the establishment of a State Bureau of Insurance.

Referred to Committee on Insurance.

Senator Gatch presented petition of B. N. Kenyon that the State establish loan offices at county seats.

Referred to Committee on Ways and Means.

Senator Gobble presented petition from jobbers and manufacturers and business men of Des Moines, Iowa, relative to landlords' liens.

Referred to Committee on Judiciary.

Also, memorial of school board of independent district of Muscatine, Iowa, against State uniformity of text-books.

Referred to Committee on Schools.

Also, petition of Mrs. V. H. Wright and 71 others, voters and non-voters of Muscatine, favoring the maintenance of present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Kent presented memorial of J. B. Bonney Post No. 459, G. A. R., against the building of a soldiers' monument, and favoring the building of a hospital at Marshalltown.

Referred to Committee on Appropriations.

Senator Kent presented petition of board of education and teachers of the city of Keokuk against state uniformity and state control of text-books.

Referred to Committee on Schools.

Senator Lawrence presented petition of Siebold Bros. and 19 others, business men and citizens of Woodbury county, relative to exemption laws.

Referred to Committee on Judiciary.

Senator Mack presented petition of A. J. Risinger and 12 others, business men and citizens of Humboldt county, relative to exemption laws.

Referred to Committee on Judiciary.

Senator McCoy presented petition of John J. Price and 12 others of Beacon, Iowa, asking for an act to amend section 4299 in relation to exemptions of personal earnings.

Referred to Committee on Commerce.

Senator Barnett presented petition of James Randolph Post, 116, Indianola, Iowa, favoring the soldiers' monument.

Referred to Committee on Appropriations.

Senator Parrott presented petition of J. I. Bailey and 42 other citizens of Iowa, asking for a uniform system of school books.

Referred to Committee on Schools.

Senator Parrott presented resolutions of Wilson Post No. 71, G. A. R., of Grundy Center, against the erection of a soldiers' monument, and asking appropriation for hospital for soldiers' home at Marshalltown.

Referred to Committee on Appropriations.

Senator Perkins presented petition of J. F. Carman and 25 other citizens of Hamburg, Iowa, asking a memorial to Congress for a larger circulation of currency.

Referred to Committee on Federal Relations.

Senator Reiniger presented memorial of Local Assembly No. 1830, Knights of Labor, Nora Springs, Iowa, favoring district ownership of text-books, to be furnished free to pupils, and for other legislation.

Referred to Committee on Appropriations.

Senator Reiniger presented memorial of Farmers' Institute of Nora Springs, in favor of appropriation of \$5,000 for a Farmers' Institute fund.

Referred to Committee on Labor.

Senator Seeds presented petitions of Wolcott & Fairchild, and C. S. Barker and 65 other citizens of Delaware county, and D. F. Bisbee and 35 other citizens of Buchanan county, in favor of the modified attachment bill.

Referred to Committee on Judiciary.

Senator Shields' presented resolutions of Dubuque Council No. 1, Union Veteran League, and of Lookout Post No. 70, of Dubuque, Iowa, against the erection of a soldiers' monument and asking that the money be appropriated to the Soldiers' Home at Marshalltown.

Referred to Committee on Appropriations.

Senator Shields presented petitions of business men of Dubuque, asking for the passage of a law changing the exemption laws.

Referred to Committee on Commerce.

Senator Smith of Wright presented petition of citizens of Goldfield, asking that the earnings of laboring men, debtors, be exempt from garnishment, under certain conditions.

Referred to Committee on Labor.

Senator Stewart presented petition of T. P. Brown and others of Keokuk county, asking a change of exemption laws.

Referred to Committee on Judiciary.

Senator Stewart presented petition of Local Assembly No. 9186, of What Cheer, Iowa, asking for the enactment of laws on various subjects.

Referred to Committee on Labor.

Senator Stewart presented petitions of Thomas Brande and Hon. G. Magoun and 95 other citizens of Grinnell, asking that there be no repeal of the prohibitory laws.

Referred to Committee on Suppression of Intemperance.

Senator Taylor presented petition of Local Assembly No. 3335, Knights of Labor, of Brazil, Appanoose county, in favor of district ownership of text-books furnished free to pupils, and various other subjects.

Referred to Committee on Labor.

Senator Taylor presented petition from 59 members of the State Business Mens' Association of Iowa, asking the passage of the valued policy bill, and for a law prohibiting combinations and board rates.

Referred to Committee on Insurance.

Senator Taylor presented petition from Mitchell Bros. and 16 other business men of Davis county, asking for a change in the exemption laws.

Referred to Committee on Judiciary.

Senator Cassatt presented petition of Wm. Boyle and others, against creation of a board of inspectors of steam engines and boilers.

Referred to Committee on Commerce.

Also, petition of Martin Anderson and 29 others, to maintain the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Also, petition of estate of George E. Cornwell and others, of Marion county, in favor of the modified attachment bill.

Referred to Committee on Labor.

INTRODUCTION OF BILLS.

By Senator Ballingall, (by request) Senator file No. 348, a bill for an act amending section 4299, chapter 2, title XVIII of the Code.

Read first and second times and referred to the Committee on Judiciary.

By Senator Barnett, Senate file No. 349, a bill for an act for retrenchment and reform in relation to fixing telegraph charges from any point in the State of Iowa to any other point in said State.

Read first and second times and referred to the Committee on Retrenchment and Reform.

By Senator Dodge, Senate file No. 350, a bill for an act to amend section 3780 of the Code, relating to offenses against the lives and persons of individuals.

Read first and second times and referred to the Committee on Judiciary.

By Senator Dodge, Senate file No. 351, a bill for an act to amend section 4109 of the Code, relative to the town magistrate and his powers, peace officers and officers of justice and complaint.

Read first and second times and referred to the Committee on Judiciary.

By Senator Dodge, Senate file No. 352, a bill for an act providing for the disposition to be made of certain fines imposed for cruelty to animals or children.

Read first and second times and referred to the Committee on Judiciary.

By Senator Engle, Senate file No. 353, a bill for an act to settle differences between parties by arbitration.

Read first and second times and referred to the Committee on Labor.

By Senator Mack, Senate file No. 354, a bill for an act to amend sections 812, 814, 821, 822, 823, and 827 of the Code of Iowa relating to the assessment of property for taxation and exemptions therefrom.

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

By Senator Seeds, Senate file No. 355, a bill for an act to permit the "Independence and Rush Park Railway company," to pass over the ground of the State used for the Hospital for the Insane at Independence, Iowa.

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

By Senator Hanchett, Senate file No. 356, a bill for an act fixing and regulating the rental for use of telephones and all charges or rates for toll service, switching and maintenance of telephone lines, batteries, and apparatus connected therewith in cities, villages and towns within the State, and fixing a penalty for a violation thereof.

Read first and second times, and on motion of Senator Meservey, referred to the Committee on Corporations.

By Senator Vale, Senate file No. 357, a bill for an act to amend section eleven, chapter one hundred and eleven, acts of the Twentieth General Assembly in relation to the inspection and sale of petroleum.

Read first and second times and referred to the Committee on Commerce.

By Senator Ballingall, by request, Senate file No. 358, a bill for an act granting to the city of Ottumwa all the title and interest of the

State of Iowa, in and to certain ground in the city of Ottumwa, Wapello county, Iowa.

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

By Senator Engle, by request, Senate file No. 359, a bill for an act to punish certain officers of the law for not enforcing the law.

Read first and second times and referred to the Committee on Judiciary.

RESOLUTIONS.

Senator Dungan introduced the following:

Joint Resolution and Memorial No. 8. Joint resolution and memorial to Congress relating to the protection of the lives of miners in the Territories.

WHEREAS, There is now pending in the Congress of the United States a bill, introduced by Congressman Lacy, No. 3,839, providing for the protection of the lives of miners in such Territories of the United States which have made no such provisions, substantially applying the mining laws of Iowa on that subject to such Territories; therefore,

Be it resolved by the General Assembly of the State of Iowa, That our Senators and Representatives in Congress are hereby requested to unitedly urge the passage of a bill to accomplish said purpose.

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

REPORTS OF STANDING COMMITTEES.

Senator Parrott, from the Committee on Ways and Means, submitted the following reports:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 25, a bill for an act to amend sections 401 and 411, title 4, chapter 9 of the Code, in relation to township collectors' bonds and forming collectors' 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 amended by adding: Section 3. This act being deemed of immediate importance shall be in full force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published at Des Moines, Iowa. And when so amended that it do pass.

MATT PARROTT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 150, a bill for an act to impose a collateral inheritance 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 it do pass.

MATT PARROTT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 27, 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 do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 29, a bill for an act to amend section 814 of the Code, relating to listing property for 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 it be referred to the Committee on Judiciary.

MATT PARROTT, *Chairman*.

So referred.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 78, 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 do pass.

MATT PARROTT, *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. 308, a bill for an act to repeal chapter one hundred and eleven, 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 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. 284, a bill for an act to amend section 5658 McClain's Code, chapter 38, laws of the Twenty-second General Assembly, in reference to appointing clerks for grand 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 amended by the adoption of the following substitute:

A BILL

FOR AN ACT TO AMEND CHAPTER 38, LAWS OF THE TWENTY-SECOND GENERAL ASSEMBLY, IN REFERENCE TO APPOINTING CLERKS FOR GRAND JURIES.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 1 of chapter 38, of the laws of the Twenty-second

General Assembly be, and is hereby amended by striking out of the third, fourth and fifth lines thereof, the words "in counties having a population as shown by the last preceding census of twenty thousand or over." 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 Senate file No. 323, a bill for an act to amend section two thousand and seventeen (2017), of chapter nine (9), title thirteen (13), 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 indefinitely postponed.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 314, a bill for an act to amend section two thousand and seventeen (2017), of chapter nine (9), of the Code of 1873, relative to landlords' liens, 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. 199, a bill for an act relating to changes in articles of incorporation of incorporations for pecuniary profit, beg leave to report 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 the adoption of the following substitute:

A BILL

FOR AN ACT RELATING TO CHANGES IN ARTICLES OF INCORPORATION.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That when there has been a change made in the articles of incorporation, by reason of which the principal place of business of any corporation has been transferred from one county to another, it shall be the duty of the officers of said corporation, within ten days after said change has been made, to cause to be recorded in the office of the recorder of the county to which said principal place of business has been transferred, a true copy of said articles, including the amendment changing the place of business of said corporation, and any changes made in said articles, after being so re-recorded, shall be recorded in the county to which the business has been transferred.

Provided, That nothing herein shall be construed to release said corporation or the members thereof from liability as now contemplated in section 1068 of the Code.

SEC. 2. Any corporation which has heretofore changed its principal place of business, and which prior to the taking effect of this act shall have caused the amend-

ment to its articles of incorporations changing its principal place of business, to be duly recorded in the office of the recorder of the county from which said place of business was changed, and also in the office of the recorder of the county to which said place of business has been changed, shall be held to have substantially complied with the provisions of law relating to the recording of said amended articles.

And your committee recommend that as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Senator Vale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 266, a bill for an act to protect owners of real estate from trespass by hunters, trappers and other persons, beg leave to report 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, viz: In section 1, line 3, insert after the words "purpose of" the words "fishing or"; also, strike out the words "except wolves" in the same line. In line 4 strike out "except wolves" at the end of said line and insert "wolves excepted" in lieu thereof; also, add at the end of section 2 the following: "except for the destruction of wolves" and when so amended that the bill do pass.

B. R. VALE, *Chairman*.

Ordered passed on file.

Senator Brower, from the Committee on Banks, submitted the following report:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate file No. 35, a bill for an act to repeal section 2114, of the Code of Iowa, 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 without recommendation.

N. V. BROWER, *Chairman*.

Ordered passed on file.

Senator Harsh moved to take up for consideration resolution introduced March 15th, relative to extending for thirty days the time of the Special Committee appointed to investigate trusts and combinations.

The President ruled the motion out of order.

On motion of Senator Kegler the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, March 22, 1890. }

The Senate met in regular session at 10 o'clock A. M.

Lieutenant-Governor Poyneer in the chair.

Prayer by Rev. W. A. Black, pastor East Side Presbyterian church,
Des Moines.

Senator Shields was granted leave of absence.

PETITIONS AND MEMORIALS.

Senator Perkins presented petition of J. M. Hammond and 102 others of Page and Fremont counties, asking for a change in the exemption law.

Senator Perkins moved that it be referred to Committee on Judiciary.

Senator Harsh moved to amend by referring it to the Committee on Labor.

Carried.

The question being on the adoption of the motion as amended, it was adopted and the petition was referred to Committee on Labor.

Senator Cleveland presented petition of S. Reams & Son and 24 others of Shelby county, asking a change in the exemption law.

Referred to Committee on Labor.

Senator Harsh presented petition of Phil. A. Derr and 166 other citizens of Union, Ringgold, and Decatur counties, asking for a change in the exemption law.

Referred to Committee on Labor.

Senator Caldwell presented petition of N. J. Nelson and 30 others of Audubon county, same subject. Same reference.

Senator Barnett presented petition of J. W. Boden and 17 others of Clark county, same subject. Same reference.

Senator Meserve presented petition of James Manning and 82 others of Ida county, same subject. Same reference.

Senator Kent presented petition of Fred Lang and 52 others of Lee county, same subject. Same reference.

Senator Barrett presented petition of Bert Hamilton and 21 others of O'Brien county, also of J. D. Workman, and 26 others of Sioux county, same subject. Same reference.

Senator Rich presented petition of G. C. Hilliman and 33 others of Greene and Carroll counties, same subject. Same reference.

Senator Weidman presented petition of C. J. Merriman and 40 others of Montgomery county, same subject. Same reference.

Senator Parrott presented petition of E. Croak and 23 others of Black Hawk county, same subject. Same reference.

Senator Brower presented petition of Mason City Division 117 of Locomotive Engineers, favoring the passage of House file No. 284.

Passed on file.

Senator Brower presented petition of merchants of Sheffield, Franklin county, also, merchants of Britt, Hancock county, asking for an amendment to the present exemption law.

Referred to Committee on Labor.

Senator Reiniger presented petition of Charles J. Pixley Post, No. 377, Rockford, Iowa, in favor of soldiers' monument as recommended by the committee.

Referred to Committee on Appropriations.

Senator Mills presented petition of W. S. McBride and 95 others of Marshalltown, asking for a change in the exemption law.

Referred to Committee on Labor.

Senator Schmidt presented petition of Davenport Typographical Union No. 106, favoring the establishment of labor day as a legal holiday.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Hanchett, Senate file No. 360, a bill for an act providing for the election of certain county officers, fixing their terms of office and making said officers ineligible to re-election until one term of office shall have intervened.

Read first and second times and referred to the Committee on Compensation of Public Officers.

By Senator Perkins, by request, Senate file No. 361, a bill for an act to repeal chapter 139, laws of 1888.

Read first and second times and ordered passed on file and placed on the calendar.

By Senator Perkins, by request, Senate file No. 362, a bill for an act to reimburse and pay P. E. Greer for money expended and services rendered the State of Iowa during the months of July and August, 1862.

Read first and second times, and referred to the Committee on Claims.

By Senator Brower, Senate file No 363, a bill for an act to legalize the organization of the independent district of Corwith, Iowa, and the acts of said district and of its boards of directors and officers.

Read first and second times and referred to the Committee on Judiciary.

By Senator Mack, Senate file No. 364, a bill for an act to establish a probate court and a judge thereof in each county and to place all probate business under his charge giving right of appeal in contested cases to the district court and giving to such probate judge all the powers relating to probate matters, now given to judges of the district court, and providing compensation therefor.

Read first and second times and referred to the Committee on Judiciary.

By Senator Davidson, Senate file No. 365, a bill for an act limiting the size of screens to be used in the screening of coal at the coal mines of the State and fixing the weights to be used.

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

By Senator Harsh, Senate file No. 366, a bill for an act to provide a uniform series of school text-books for the schools of each county.

Read first and second times and referred to the Committee on Schools.

By Railway Committee, Senate file No. 367, a bill for an act to amend section seventeen (17), chapter twenty-eight (28), laws of the Twenty-second (22) General Assembly, and to make the same applicable to passenger rates.

Read first and second times and passed on file.

The following communications were taken up from the President's table and read:

STATE OF IOWA, }
OFFICE OF SECRETARY OF STATE, }
DES MOINES, June 14, A. D. 1889. }

STATEMENT.

The Governor of the State of Iowa, the Secretary of State and the Auditor of State, having this day made examination of the returns of a special census taken by the authority of the town council of the town of North Des Moines, Iowa, and filed in the office of the Secretary of State, June 14, 1889, and having ascertained that the town of North Des Moines, has a population of more than two thousand people, to-wit: two thousand two hundred and forty-seven persons, and is therefore entitled, under the provisions of chapter 10, title 4, of the Code of Iowa, as amended by chapter 52] of the public acts of the Fifteenth General Assembly, to become a city of the second class.

Now, therefore, the Governor of the State of Iowa has caused this statement thereof to be prepared and published as by the statute in such cases made and provided.

In testimony whereof, witness my hand the first day above written.

FRANK D. JACKSON, *Secretary of State.*

STATE OF IOWA, }
OFFICE OF SECRETARY OF STATE, }
DES MOINES, December 27, A. D. 1888. }

STATEMENT.

The Governor of the State of Iowa, the Secretary of State and the Auditor of State, having this day made examination of the returns of a special census taken by the authority of the town council of the town of Algona, and filed in the office of the Secretary of State, December 18, 1888, and having ascertained that the town of Algona has a population of more than two thousand people, to-wit: two thousand one hundred and eighty-six (2,186) persons, and is therefore entitled, under the provisions of chapter 10, title 4, of the Code of Iowa, as amended by chapter 52, of the public acts of the Fifteenth General Assembly, to become a city of the second class.

Now, therefore, the Governor of the State of Iowa has caused this statement thereof to be prepared and published as by the statute in such cases made and provided.

In testimony whereof, witness my hand the first day above written.

FRANK D. JACKSON, *Secretary of State.*

STATE OF IOWA, }
OFFICE OF SECRETARY OF STATE, }
DES MOINES, February 14, 1888. }

STATEMENT.

The Governor of the State of Iowa, the Secretary of State and the Auditor of State, having this day made examination of the returns of a special census taken by the authority city council of the incorporated city of Clinton, Iowa, and filed in the office of the Secretary of State February 13, 1888, and having ascertained that the incorporated city of Clinton has a population of more than fifteen thousand people; to-wit.: sixteen thousand and forty (16,040) persons, and is therefore entitled, under the provisions of chapter 10, title 4, of the Code of Iowa, as amended by chapter 52 of the public acts of the Fifteenth General Assembly, to become a city of the first class.

Now, therefore, the Governor of the State of Iowa has caused this statement thereof to be prepared and published as by the statute in such cases made and provided.

In testimony whereof, witness my hand the first day above written.

FRANK D. JACKSON, *Secretary of State.*

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. 165, a bill for an act to legalize the acts of Geo. C. Anderson, a justice of the peace in and for Otter Creek township, Linn county.

Also, I herewith present for your signature the following bill, which has passed both branches of this G. A., been duly enrolled and signed by the Speaker of the House: H. F. No. 1, a bill for an act to legalize the annexation of certain territory to the town of What Cheer, in Keokuk county.

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

Joint resolution No. 4, relative to requesting our Senators and Representatives in Congress to use their influence to secure the passage of an appropriation bill for a deep water harbor at Galveston or other point.

H. S. WILCOX, *Chief Clerk*

HOUSE MESSAGE.

House file No. 165, a bill for an act to legalize the acts of Geo. C. Anderson a justice of the peace in and for Otter Creek township, Linn county.

Read first and second times and referred to the Committee on Judiciary.

House joint resolution No. 4, relative to requesting our senators and representatives in congress to use their influence to secure the passage of an appropriation bill for a deep water harbor at Galveston or other point.

Read first and second times and referred to the Committee on Federal Relations.

REPORTS OF STANDING COMMITTEES.

Senator Parrott, from the Committee on Ways and Means, submitted the following reports:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred House file No. 70, a bill for an act to amend section 6 of chapter 70 of the laws of 1884, beg leave to report 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 "1884" and inserting the words "The Twentieth General Assembly," also, by adding the word "poor" before the word "or" in the third line of section 1, and when so amended, that it do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 73, a bill for an act to facilitate the transfer of real estate for 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 it be amended by striking out the word "such" in the third line of section 1; also, by adding the words "where decree is entered" after the word "court" in same line; also, by striking out all after the first section after the word "each" in the

sixth line and adding the following: "and date when time for perfection of appeal will expire. If no notice is received prior to date above named the auditor shall make the necessary transfer for purpose of taxation, and it shall be the duty of the clerk of the court of last resort to notify the clerk of the lower court first having had jurisdiction thereof of the determination of such case and the substance of decree as affecting transfer of real estate." And when so amended it do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Senator Meservey, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 309, a bill for an act to repeal section 2 of chapter 68 of the acts of the 15th General Assembly of the State of Iowa, and to amend said chapter 68, in relation to rates of passenger fares upon 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 for indefinite postponement, for the reason that a substitute has been agreed upon.

A. F. MESERVEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 93, a bill for an act to repeal section two (2), chapter sixty-eight (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, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate for indefinite postponement, for the reason that a substitute has been agreed upon by the committee.

A. F. MESERVEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways to whom was referred Senate file No. 13, a bill for an act restraining railway corporations from limiting life of railway mileage, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate for indefinite postponement, for the reason that a substitute has been agreed upon by the committee.

A. F. MESERVEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 22, a bill for an act to fix and establish the rates of passenger fares on railroads within the State of Iowa, and to repeal section 2, chapter 68, laws of the 15th 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 for indefinite postponement, for the reason that a substitute has been agreed upon by the committee.

A. F. MESERVEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 54, a bill for an act to amend section sixty-eight (68) of the acts of the Fifteenth General Assembly, fixing the maximum charges for the transportation of passengers on the different railroads 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 for indefinite postponement, for the reason that a substitute has been agreed upon by the committee.

A. F. MESERVEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 96, a bill for an act to amend chapter 28, acts of the Twenty-second General Assembly, so as to secure joint rates between connecting lines of railroads 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 for indefinite postponement because bill of same import has been already favorably reported.

A. F. MESERVEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 196, a bill for an act to amend chapter 28 of the acts of the Twenty-second General Assembly, giving authority for the making of rates for the transportation of freight and cars over two or more lines of railroads within this State, and enlarging the powers and further defining the duties of the Board 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 following amendments:

First—By adding at the end of section 1 the following words: "provided that the joint rate so made shall in no case be less than the rate for a continuous haul over one railroad for the same distance."

Second—Amendment by inserting after the word "shall," in the first line of section two (2) of the bill, the words, "Upon the demand of any person or persons interested, establish reasonable through joint rates for the transportation of property between points on their respective lines, and shall," and when so amended that it do pass.

A. F. MESERVEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 339, a bill for an act to amend section 2177 of the Code of 1873, in relation to the lien for charges on personal property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate for indefinite postponement.

A. F. MESERVEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 97, a bill for an act to prevent railway companies operating railways in the State of Iowa from compelling their employees to furnish at their own expense any

uniforms or equipments to be used in the performance of duty as such employes, and providing for penalties for the violation of the same, 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 indefinitely postponed.

A. F. MESERVEY, *Chairman.*

Ordered passed on file.

Senator Bayless, from Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 89, a bill for an act to regulate railroads and other common carriers, beg leave to report 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 Woolson, from Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 60, a bill for an act to repeal chapter 69, laws of the Sixteenth General Assembly, and to enact a substitute therefor, relating to vagrants, beg leave to report 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 the adoption of the accompanying substitute and the title amended to confirm to title as in said substitute shown, and that as so amended the bill do pass. The committee has ordered the printing of said substitute.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Senator Davidson, 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. 1, an act to legalize the annexation of certain territory to the town of What Cheer, in Keokuk county.

D. B. DAVIDSON, *Chairman.*

Senator Vale, from the Committee on Agriculture, submitted the following reports:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 91, a bill for an act to amend section twenty hundred and eighty (20⁹⁰) of the Code, relating to promissory notes and other 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 committee have adopted a substitute therefor, that such substitute be adopted in lieu thereof, and when so adopted that the bill do pass.

B. R. VALE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 16, a bill for an act to encourage the holding of county 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 the committee have adopted a substitute therefor, that such substitute be adopted in lieu thereof, and when so adopted, that the bill do pass.

B. R. VALE, *Chairman*.

Ordered passed on file.

The journal of March 21 was corrected and approved.

On motion of Senator Caldwell, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, March 24, 1890. }

Senate met in regular session at 10 o'clock, A. M.

Lieut.-Governor Poyneer in the chair.

Prayer by Rev. J. Auracher.

Leave of absence was granted to Senator Woolson.

PETITIONS AND MEMORIALS.

Senator Kelly presented memorial of LeGrand Byington, asking the payment of \$575, claimed to be due him from the State.

Referred to Committee on Claims.

Senator Finn presented memorial of Alliance No. 813, Lenox, Iowa, in favor of State uniformity of text-books.

Referred to Committee on Schools.

Senator Woolson presented petition from Craver, Steel and Austin, and others, against proposed bill for steam boiler inspection.

Referred to Committee on Commerce.

Senator Clyde presented petition of John Erickson and 8 other citizens of Union township, Mitchell county, asking for joint rates.

Referred to Committee on Railways.

Senator Clyde presented petition of John Erickson and 8 other citizens of Union township, Mitchell county, asking for district purchase of school text-books.

Referred to Committee on Schools.

Senator Lawrence presented petition of A. R. Wright and 55 others of Woodbury county, asking for joint rates.

Referred to Committee on Railways.

Senator Engle presented petition of C. W. Clausenn and 22 others of Jasper county, against monopoly medical law.

Referred to Committee on Public Health.

Senator Mack presented petition of A. Brown and 23 others from Buena Vista county, Iowa, asking for joint rates.

Referred to Committee on Railways.

Senator Mack presented petition of A. Brown and 23 others from Buena Vista county, asking for district purchase of school text-books.

Referred to Committee on Schools.

Senator Price presented petition of J. S. Hulbert and 17 other citizens of Adair county, referring to school text-books.

Referred to Committee on Schools.

Senator Engle presented petition of James Stock and 63 other citizens of Jasper county, asking for a change in the exemption law.

Referred to Committee on Commerce.

Senator Engle presented petition of A. H. Glandon and 23 others of Montgomery county, favoring joint rates.

Referred to Committee on Railways.

INTRODUCTION OF BILLS.

By Senator Engle, Senate file No. 368, a bill for an act to amend section 812 of the Code, and to provide insurance for property holders of the State of Iowa, against loss of property by fire or lightning.

Read first and second times and referred to the Committee on Insurance.

By Senator Engle, Senate file No. 369, a bill for an act to provide insurance for citizens of the State against loss of property by fire or lightning.

Read first and second times and referred to the Committee on Insurance.

By Senator Engle, Senate file No. 370, a bill for 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 Davidson, Senate file No. 371, a bill for an act to license the sale of school books within the State and to provide for the purchase and distribution of the same.

Read first and second times and referred to the Committee on Schools.

By Senator Dungan, Senate file No. 372, a bill for an act to protect laborers and miners for labor performed in developing and working in coal mines, additional to chapter 100, acts of the Sixteenth General Assembly, and chapter 179, acts of the 20th General Assembly.

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

By Senator Mattoon, Senate file No. 373, a bill for an act to amend sections 986 [chapter 2 of title VII, of working highways] of the Code relating to compensation of road supervisors.

Read first and second times and referred to the Committee on Highways.

REPORTS OF STANDING COMMITTEES.

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

MR. PRESIDENT—The Committee on Printing pursuant to resolution hereby orders reprinted 300 copies of Senate file No. 106.

A. B. FUNK, *Chairman.*

Ordered passed on file.

The Journal of March 22 was corrected and approved.

On motion of Senator Bayless the Senate adjourned until 9 o'clock
A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, March 25, 1890. }

Senate met in regular session at 9 o'clock A. M., Lieutenant-Gov. Poyneer in the chair.

Prayer by Rev. P. C. Phillips, pastor of East Side German M. E. church.

Senator Kegler was granted leave of absence indefinitely on account of sickness.

PETITIONS AND MEMORIALS.

Senator Bills presented petition of D. T. Gartner and 805 other citizens of Castle Grove, Wayne and Monticello townships, Jones county, Iowa, asking for the repeal of the prohibitory liquor laws.

Referred to Committee on Suppression of Intemperance.

Senator Lawrence presented petition of Sydney Fuller, Post No. 458, Oto, Iowa, relative to building soldiers' hospital, at Marshalltown and against erection of a soldiers' monument.

Referred to Committee on Appropriations.

Senator Wolfe presented petition of Clinton Division No. 125, Brotherhood of Locomotive Engineers, asking for passage of House file No. 284.

Referred to Committee on Railways.

Senator Stewart presented petition of Wisner Post No. 127, asking an appropriation for a soldiers' monument, and also for hospital at soldiers' home at Marshalltown.

Referred to Committee on Appropriations.

The journal of March 20th was corrected and approved.

Senator Brower introduced the following:

JOINT RESOLUTION NO. 9.

JOINT RESOLUTION PROPOSING TO AMEND THE CONSTITUTION SO AS TO PROHIBIT THE MANUFACTURE, SALE, OR KEEPING FOR SALE, OF INTOXICATING LIQUORS FOR USE AS A BEVERAGE WITHIN THIS STATE, AND AUTHORIZE SUCH MANUFACTURE, SALE, AND KEEPING FOR LAWFUL PURPOSES.

Be it resolved by the General Assembly of the State Iowa:

That the following amendment to the constitution of the State of Iowa be and the same is hereby proposed and referred to the legislature to be chosen at the next

general election for members of the General Assembly, namely: To add as section 26, of article 1, of said constitution, the following:

SEC. 26. The manufacture or keeping with intent to sell, or selling of any intoxicating liquors whatever, including ale, wine, and beer, for use as a beverage, are strictly prohibited within this State.

The General Assembly shall by law prescribe suitable and efficient regulations and adequate penalties for the enforcement of the provisions hereof; and may also provide all necessary regulations and restrictions for the manufacture, keeping, and selling of such liquors and alcohol for mechanical, scientific, chemical, medicinal, sacramental or culinary purposes and for use in art; and any violation of such regulations or restrictions shall subject the offender to the same penalties and proceedings as shall or may be provided against offenders manufacturing, keeping or selling of such liquors to be used as a beverage.

The Secretary of State is hereby charged with the duty of giving notice of the foregoing proposition, as provided in section 1, of chapter 114, of the acts of the Sixteenth General Assembly.

Read first and second times and referred to the Committee on Constitutional Amendments and Suffrage.

INTRODUCTION OF BILLS.

By Senator Parrott, Senate file No. 374, a bill for an act to relieve Mrs. A. Neet, of Reinbeck, Iowa.

Read first and second times and referred to the Committee on Claims.

By Senator Engle, Senate file No. 375, a bill for an act to prohibit the location of cemeteries within the limits of incorporated cities and towns.

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

By Senator Shields, Senate file No. 376, a bill for an act to amend chapter 43, acts of the 22d General Assembly, relating to the tax levy for ordinary county purposes.

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

By Senator Shields, Senate file No. 377, a bill for an act to amend section 312 of the Code, in relation to issuing bonds by counties in certain cases.

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

By Senator Gatch, Senate file No. 378, a bill for an act to amend chapter 176 of the laws of the Seventeenth General Assembly of the State of Iowa.

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

By Senator Gatch, Senate file No. 379, a bill for an act to amend section 2308 of the Code of 1873, and to provide for the adoption of children.

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

Senator Finn introduced the following:

JOINT RESOLUTION AND MEMORIAL NO. 10.

Joint resolution and memorial of the General Assembly of Iowa to the Congress of the United States, in reference to the debt of the Union Pacific Railroad Company.

WHEREAS, The Union Pacific Railroad Company became indebted to the United States for aid furnished for its construction for which the United States had a first mortgage or lien upon the road of said company, and

WHEREAS, By act of July 2, 1864, said first lien and debt was subordinated to a mortgage of 80 millions given by said railroad company to other parties, and

WHEREAS, the said debt to the United States, amounting to over 50 millions of dollars, and running at the rate of 6 per cent interest will mature in 1892, and

WHEREAS, Said railroad company, instead of proposing and preparing to pay said indebtedness, now offers and proposes by bill to the Congress of the United States, to defer the payment of said debt for fifty years, and to have the interest thereon reduced from 6 to 3 per cent per annum, and

WHEREAS, No additional security or other advantage is offered by said company for such reduction of interest and extension of time of payment, and

WHEREAS, The said Union Pacific Railroad Company is abundantly able to pay at the present time said debt or obligation as shown by the estimated value of its property at 240 millions of dollars, and by the fact that its stock is at the present time of the cash value of 35 millions of dollars, and

WHEREAS, By reason of the foregoing it is shown that the United States will sustain by the passage of the bill a loss of millions of dollars in interest and also endanger its debt by risking a depreciation of the values of the property upon which it has its lien, therefore,

Be it resolved by the General Assembly of Iowa, That any bill looking to such extension of time and reduction of interest should be defeated and that our members of Congress be requested and our Senators instructed to oppose and vote against such extension of time and reduction of interest to the end that said Union Pacific Railroad Company be compelled to pay the said debt and interest at maturity.

Read first and second times and referred to the Committee on Railways.

By Senator Dungan, Senate file No. 380, a bill for an act to provide for the use of the Rhines vote recording machine in all elections held in this State in cities containing ten thousand or more inhabitants, after the fourth day of July, 1891.

Read first and second times and referred to the Committee on Elections.

RESOLUTIONS.

President *pro tem* Meservey took the chair.

Senator Reiniger offered the following:

Resolved, That when the calendar is reached it shall be considered in order, except when the author or friends of a measure desire it passed over for the time being.

Senator Barnett offered the following amendment:

Resolved, That any bill looking to the reduction in price of school books, can be brought up at any time.

Adopted.

Senator Taylor offered the following amendment:

Or any other measure considered of general importance.

Adopted.

Senator Caldwell moved to lay the resolution and amendments on the table.

Carried.

Lieutenant-Governor Poyneer again took the chair.

Senator Bailey offered the following:

Resolved, That Senate file No. 333, be re-called from the Committee on Appropriations and referred to a special committee of five Senators, with instructions to consider the same and make a report to the Senate at the earliest practical period.

Adopted.

Senator Hanchett offered the following;

SENATE RESOLUTION.

Resolved by the Senate of the Twenty-third General Assembly of the State of Iowa:

That the Committee on Railways be instructed to report back to the Senate on or before Friday, March 28, 1890, Senate file No. 129, in regard to sleeping car rates, together with the recommendation of said committee in relation thereto.

Senator Bayless offered the following amendment:

And other bills on the same subject.

Adopted.

The question now being on the adoption of the resolution as amended it was adopted.

By unanimous consent, Senator Gatch introduced Senate file No. 381, a bill for an act conferring additional powers upon certain cities of the first class in respect to assessors, which was read first and second times and 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Wright, Smith of Linn, Stewart, Taylor, Vale, Weidman, Wolfe—47.

The nays were—none.

Absent or not voting:

Senators Bolter, Kegler and Woolson—3.

So the bill passed and the title was agreed to.

Senator Meservey moved that Senate file No. 196, a bill for an act to amend chapter 28, of the acts of the Twenty-second General Assembly, giving authority for the making of rates for the transportation of freight and cars over two or more lines of railroad within the State and enlarging the powers and further defining the duties of the Board of Railroad Commissioners, with report of the committee recommending amendments and that it do pass, be made a special order for Thursday, at 10.30 o'clock A. M.

Carried.

The hour having arrived for the consideration of the special order, it being Senate file No. 113, a bill for an act to amend chapter 16, laws of the Twenty-second General Assembly, entitled: "An act granting additional powers to certain cities of the first class, and to cities organized under special charters, and cities of the second class having over seven thousand inhabitants," it was taken up, and on motion of Senator Weidman, was postponed for ten minutes.

On motion of Senator Weidman, Senate file No. 266, a bill for an act to protect owners of real estate from trespass by hunters and trappers, with report of committee recommending amendments and when so amended that the bill do pass, was taken up and considered.

On motion of Senator Finn, the amendments proposed by the committee were considered separately.

The first amendment was adopted.

The second amendment was adopted.

The third amendment was adopted.

The fourth amendment was adopted.

Senator Mosnat offered the following amendment:

Add to line three, in section two, the following: "lynx or wild cat."

Pending consideration of which, the time having arrived for consideration of the special order, Senate file No. 113, a bill for an act to amend chapter 16, laws of the 22d General Assembly, entitled "an act granting additional powers to certain cities of the first class, and to cities organized under special charters, and cities of the second class having over seven thousand inhabitants," with report of the Committee on Cities and Towns recommending that it do pass, was taken up and considered.

The question being on the adoption of the substitute offered by Senator Wolfe.

On motion of Senator Shields further consideration of this matter was postponed until 10:30 o'clock A. M. Thursday, at which time it was made a special order.

The President laid the following communication before the Senate:

BLOOMFIELD, IOWA, March 24, 1890.

HON. A. N. POYNEER, *President of the Senate*:

SIR—I respectfully tender my resignation as file clerk of the Senate.

Respectfully yours,

S. A. MOORE.

On motion of Senator Caldwell the resignation was accepted and the President authorized to fill the vacancy by appointment.

The hour having arrived for consideration of the second special order, it being Senate file No. 10, a bill for an act to repeal sections 1, 2, 3, 4, of chapter 12, of the acts of the Eighteenth General Assembly, relative to the management of the permanent school fund, and to enact substitutes therefor, with report of the committee, recommending that it do pass, was taken up and considered.

The question being on the motion of Senator Clyde to recommit the bill to the Committee on Ways and Means, it was withdrawn.

The question now being on the adoption of amendment offered by Senator Finn to amend by striking out the maximum "seven" in section 1, and inserting "eight,"

Senator Kelley offered the following amendment to the amendment:

Strike out the word "not," in the first line of section 1, and insert in lieu thereof the word "be;" also, strike out the following in the second line of section 1 "exceed seven nor less than."

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Barnett, Bayless, Bills, Cassatt, Cleveland, Davidson, Engle, Gobble, Groneweg, Hanchett, Kelly, Mack, Mattoon, McCoy, McVay, Meservey, Mosnat, Perkins, Rich, Schmidt, Smith of Linn, Smith of Wright, Stewart, Taylor, Weidman, Wolfe—27.

The nays were:

Senators Bailey, Barrett, Brower, Caldwell, Clyde, Dodge, Dungan, Finn, Funk, Gatch, Harsh, Kent, Lawrence, Parrott, Price, Reiniger, Seeds, Shields—18.

Absent or not voting:

Senators Bolter, Kegler, Mills, Vale, Woolson—5.

So the amendment was adopted.

The question now being on adoption of the amendment as amended it was adopted.

Senator Mosnat offered the following amendment: Strike out the word "five" in line 2 of section 3 and insert the word "four" in lieu thereof.

On this the yeas and nays were demanded.

The yeas were:

Senator Mosnat.—

The nays were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Stewart, Taylor, Weidman—42.

Absent or not voting:

Senators Bolter, Finn, Kegler, Smith of Wright, Vale, Wolfe, Woolson—7.

So the amendment was lost.

Senator Mack moved to strike out section 4 of the bill.

Adopted.

Senator Mack offered the following amendment:

Amend by inserting in section 4, before the word "all," in the first line thereof, the words, "that sections 1, 2 and 3, of chapter 12, of the acts of the Eighteenth General Assembly and."

Adopted.

Senator Finn offered the following amendment:

Add to section 1, "provided, that when seven per cent can be obtained, that rate shall be charged."

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Brower, Clyde, Dodge, Finn, Funk, Harsh, Kent, Lawrence, Mills, Price, Reiniger, Schmidt, Shields—14.

The nays were:

Senators Ballingall, Barnett, Barrett, Bayless, Bills, Caldwell, Cassatt, Cleveland, Davidson, Dungan, Engle, Gatch, Gobble, Groneweg, Hanchett, Kelly, Mack, Mattoon, McCoy, McVay, Meservey, Mosnat, Parrott, Perkins, Rich, Seeds, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe—32.

Absent or not voting:

Senators Bolter, Kegler, Smith of Linn, Woolson—4.

So the amendment was lost.

The question now being shall the bill be engrossed and read a third time to-morrow.

The yeas were:

Senators Bailey, Ballingall, Barnett, Bayless, Bills, Brower, Caldwell, Cassatt, Cleveland, Clyde, Dungan, Engle, Gobble, Groneweg, Hanchett, Harsh, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Rich, Seeds, Shields, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe—38.

The nays were:

Senators Davidson, Dodge, Finn, Funk, Gatch, Reiniger, Schmidt, Smith of Linn—8.

Absent or not voting:

Senators Barrett, Bolter, Kegler, Woolson—4.

So the bill was ordered engrossed and read a third time to-morrow.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature the following, which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

House file No. 28.

Joint Resolution No. 3.

HENRY S. WILCOX, *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. 152, a bill for an act to repeal chapter 139 of the acts of the Twenty-second General Assembly.

House file No. 123, a bill for an act relating to dissolution of corporations.

Also, that the House has passed Senate file No. 192, a bill for an act to amend chapter 167, laws of 1882, in relation to State certificates and diplomas to teachers.

Also, concurrent resolution relative to the appointing of a Joint Committee to take into consideration and report what action, if any, should be taken in relation to having the institutions of the State represented at the "Worlds' Fair," to be held at Chicago in 1892.

HENRY S. WILCOX, *Chief Clerk.*

REPORTS OF STANDING COMMITTEES.

Senator Meservey, from Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 175, a bill for an act to amend chapter thirty (30) of the laws of the Twenty-second General Assembly, approved April 6, 1888, and to remit certain penalties 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 following amendments:

First, To insert after the word road, in the fifth line of section one, the words, *not including any fencing already done.*

Second, To strike out the word "twenty" in the fifth and sixth lines of section "one," and to insert in lieu thereof the word "*twenty-five.*"

Third, To strike out the letter "T" at the beginning of the last word in section two of the bill. With recommendation that it do pass when so amended.

A. F. MESERVEY, *Chairman.*

Ordered passed on file.

Senator Caldwell, from the Committee on Public Health, submitted the following reports:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 313, a bill for an act to amend section one, chapter 137, laws of the Twenty-second 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 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. 283, a bill for an act to repeal section 4018, chapter 9, title 24 of the Code, and chapter 195 of the acts of the Twentieth 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 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. 217, a bill for an act to provide an emergency fund for the protection of the public 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 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. 21, a bill for an act to amend chapter 104, of the acts 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 be indefinitely postponed.

T. J. CALDWELL, *Chairman*.

Ordered passed on file.

MINORITY REPORT.

MR. PRESIDENT—The undersigned, a minority of the committee to whom was referred Senate file No. 21, a bill for an act to amend chapter 104, of the acts of the Twenty-first General Assembly, we are unable to concur in the report of the majority of the committee. We believe that the people of Iowa should be as free to choose their family physicians as they are their pastors or legal advisers. Therefore, we recommend that Senate file No. 21 do pass.

PERRY ENGLE,

Of the Committee on Public Health.

Senator Bayless, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred resolutions adopted by (23) twenty-three Grand Army Posts of Iowa, protesting against the building of a soldiers' monument, and favoring a hospital at the Soldiers' Home at Marshalltown; also, petition of 15th annual encampment of the Grand Army of Iowa, favoring a soldiers' 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 they be referred to the Committee on Appropriations.

F. D. BAYLESS, *Chairman*.

So referred.

Senator Brower, from the Committee on Banks, submitted the following report:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate file No. 3, a bill for an act to provide for the payment of bank examiners and fixing the fee for the same was re-committed, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the same recommendation as before.

N. V. BROWER, *Chairman*.

Ordered passed on file.

Senator Perkins, from the Committee on Claims, submitted the following reports:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 169, a bill for an act to appropriate money to reimburse Seig and Size of Lynn township, Marshall county, Iowa, for horses condemned and killed as glandered horses, beg leave to report 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.

GEO. W. PERKINS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 83, 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 without recommendation.

GEO. W. PERKINS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 222, a bill for an act making 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 without recommendation.

GEO. W. PERKINS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 138, a bill for an act to appropriate money to pay Lieutenant Rufus Good-nough for services rendered the State of Iowa during the year 1861, beg leave to report 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.

GEO. W. PERKINS, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—The Committee on Printing, pursuant to resolution, hereby orders reprinted 300 copies of Senate file 196, with committee amendments.

A. B. FUNK, *Chairman*.

Ordered passed on file.

Senator Davidson, 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. 28, an act to authorize certain cities of the first-class to issue bonds and to provide for their payment, principal and interest.

Also:

Joint resolution No. 3, joint memorial and resolution, asking Congress to enact a law, providing for pensioning certain women enrolled as army nurses.

D. B. DAVIDSON, *Chairman*.

Senator Reiniger from the Committee on Judiciary presented the following minority report:

Senate file No. 63. Minority report of Judiciary Committee:

The undersigned, a minority of the Judiciary Committee, do not agree with the majority in recommending that the consideration of Senate file No. 63 be indefinitely postponed. Your minority believes that capital punishment can be justified only on the theory that society cannot be adequately protected without it, and it is claimed by many good and well informed citizens that this theory has no foundation in fact. Your minority believes that human laws should be limited in their operation to the protection of Society, and as far as may be to the reformation of offenders, and should not inflict punishment simply as a punishment, when not necessary for the protection of society. That humanity and our present civilization demand that so long as capital punishment is the law of the land, it should be inflicted in a manner which will prove the least barbarous and revolting, and which will cause the least suffering to the offender and cause death in the shortest time that present scientific knowledge points out as attainable. That experience has taught that public executions do not deter the vicious from committing capital offenses, as was claimed in past ages, but on the contrary that this effect has been prejudicial to public morals, and tends to lower respect for the sacredness of human life.

This has been recognized by many of our sister States as well as by past legislation in this State by the prohibition of public executions.

The minority, therefore, believe that the main features of this bill are in line with the demands of the advanced thought of the present civilization.

The State of New York appointed a legislative commission to examine and report upon the practicability of substituting electricity for the gallows in cases of capital punishment, and the commission after testing the practicability of the proposed change by experiments reported in favor of the measure and the same is now the law of that State.

The minority in order to avoid any possible difficulty, if any is supposed to exist, on this method of execution, recommend that the following be added to the end of

section 9: "unless the judgment of the court sentencing the defendant to be executed shall direct that the death penalty shall be inflicted by hanging, in which case the warden shall hang the defendant by the neck until he is dead."

The minority also recommend that the words "eleven (11) twelve (12) and thirteen (13)" be stricken out of section 1 of the bill, and that the following be added to the bill as section 4:

Sections 11, 12 and 13 of chapter 165 of the acts of the Fifteenth General Assembly, and all acts and parts of acts in conflict with this act are hereby repealed.

And further recommend that the bill, when so amended, do pass.

ROBT. G. REINIGER,
J. F. CLYDE,
J. S. LAWRENCE.

PETITIONS AND MEMORIALS.

Senator Price presented petition of Adair county alliance, relating to joint rates and State uniformity of school books.

Referred to Committee on Schools.

On motion of Senator Groneweg, Senate file No. 296, a bill for an act to amend sections 1695 and 1696, chapter 7, title 12 of the Code, relating to the Iowa institution for the deaf and dumb, was taken from the Committee on Appropriations and referred to Committee on the Judiciary.

The President announced as the Special Committee to consider Senate file No. 333, Senators Bailey, Harsh, McCoy, Schmidt and Wolfe.

The President appointed as file clerk F. J. M. Wonser, of Tama county.

The Senate went into executive session.

After executive session, the Senate, on motion of Senator Bayless, adjourned until 9 o'clock A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, March 26, 1890. }

The Senate met in regular session at 9 o'clock A. M.

Lieutenant-Governor Poyneer in the chair.

Prayer by Rev. P. V. D. Vadder, pastor Asbury M. E. church, Des Moines.

Senator Weidman was excused indefinitely.

Senator Gatch was excused for the day.

PETITIONS AND MEMORIALS.

Senator Barnett presented petition of 41 voters of Carlisle, Warren county, favoring joint rates.

Referred to Committee on Railways.

Senator Ballingall presented petition of Labor Assembly of Wapello county, favoring the passage of Senate file No. 5.

Referred to Committee on Labor.

INTRODUCTION OF BILLS.

By Senator Seeds, Senate file No. 382, a bill for an act compelling railway companies, operating in the State of Iowa, to issue 1,000 mile passenger rate books, and providing punishment for failure to do so.

Read first and second times, and referred to the Committee on Railways.

By Senator Smith of Wright, Senate file No. 383, a bill for an act making appropriations for the Iowa Industrial School, boys' department, at Eldora, Iowa.

Read first and second times and referred to the Committee on Appropriations.

By Senator Lawrence, by request, Senate file No. 384, a bill for an act requiring that treasurers of cities shall pay in the city treasury all interest received on funds in their hands.

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

By Senator McCoy, Senate file No. 385, a bill for an act to establish and maintain three normal schools for the instruction and training of teachers, and to provide for the location of such normal schools.

Read first and second times and referred to the Committee on Educational Institutions.

By Senator Cassatt, Senate file No. 386, a bill for an act to apply the provisions of chapter 58, Seventeenth General Assembly, and amendments thereto to existing bonded indebtedness of counties, cities and towns.

Read first and second times and referred to the Committee on Judiciary.

By Senator Bailey, for special committee, Senate file No. 387, a bill for an act to defray the expenses of the several committees appointed to visit the various State institutions.

Read first and second times and passed on file, and ordered placed on the calendar.

By Senator McVay, Senate file No. 389, 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 Appropriations.

Senator Smith of Linn introduced Senate file No. 388, a bill for an act to grant cities under special charters the power to fix the compensation of their mayors, and to legalize compensation heretofore paid to the mayors of such cities.

On motion of Senator Smith of Linn, the bill was taken up and considered.

Senator Woolson offered the following amendments:

Add at the end of section 1, " which amount shall be in full compensation of all service of such mayors of every kind and character whatsoever, connected with his official duties."

Adopted.

Senator Smith of Linn 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, Bailey, Ballingall, Barnett, Barrett, Bills, Bolter, Caldwell, Cleveland, Clyde, Davidson, Dungan, Engle, Finn, Funk, Goble, Groneweg, Hanchett, Harsh, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, Meservey, Mills, Mosnat, Parrott, Perkins, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Wolfe, Woolson—40.

The nays were—none.

Absent or not voting:

Senators Bayless, Brower, Cassatt, Dodge, Gatch, Kegler, McVay, Price, Vale, Weidman—10.

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES.

Senator Davidson, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate file No. 192, a bill for an act to amend chapter 167, laws of the Nineteenth General Assembly, in relation to State certificates and diplomas to teachers, and find the same correctly enrolled.

D. B. DAVIDSON, *Chairman*.

Senator Funk, 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. 10, a bill for an act to repeal sections 1, 2, 3, 4 of chapter 12 of the acts of the Eighteenth General Assembly, relative to the management of the permanent school fund and to enact substitutes therefor, and find the same correctly engrossed.

A. B. FUNK, *Chairman*.

Senator Price offered the following:

Resolved, That the report of the special committee raised by the Twenty-second General Assembly, to investigate certain charges made against the management of the State University at Iowa City, be referred to the Committee on Educational Institutions, with instructions to consider said report and at an early day report to the Senate by bill or otherwise, such action as they may deem expedient and proper. And also to ascertain and report whether or not the instructions contained in the resolution raising said investigating committee contained in the following words, viz: "The original report is to become a part of the records of the Governor's office and in regular form transmitted to the Twenty-third General Assembly when it convenes," has been complied with, and whether such instruction involved the publishing of the evidence taken by said committee, and further to ascertain and report whether or not the edition of the report already printed is exhausted, and if so whether it has been distributed as contemplated, and whether it is advisable to print another edition of said report.

Adopted.

HOUSE MESSAGES.

The House concurrent resolution, relative to an Iowa exhibit at the World's Fair at Chicago in 1892, was referred to the special committee created yesterday and having in charge Senate file No. 333, relating to the same matter.

House file No. 123, a bill for an act relating to dissolution of corporations.

Read first and second times and referred to the Committee on Corporations.

House file No. 152, a bill for an act to repeal chapter 139 of the acts of the Twenty-second General Assembly.

Read first and second times and referred to the Committee on Claims.

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. 6, a bill for an act to amend chapter 9 of the Code of 1873, and to make the same applicable to private bankers, beg leave to report 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 the adoption of the accompanying substitute, that the title be amended to conform to the title in said substitute, and that as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Senator Vale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 291, a bill for an act to protect stock breeders within 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 indefinitely postponed.

B. R. VALE, *Chairman.*

Ordered passed on file.

Senator Price, from the Committee on Insurance, submitted the following reports:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 103, a bill for an act relating to fire insurance, and to punish pools, trusts and conspiracies therein, 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 by striking out all after the word "State" in the 7th line of section one (1) of the printed bill, down to and including the word "thereof" in the 8th line of the same section; also, by inserting as section two (2) of said bill section two (2) of Senate File 158, down to and including the word "property" where it occurs the first time in the 3d line thereof.

Section 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.

Also by inserting as section three (3) of said bill section three (3) of Senate file 158, except the last sentence thereof. Section 3. This act shall not be so construed as to prevent local soliciting agents from acting as agent for more than one company, nor to prevent any local soliciting agent from using such rates as his respective companies may describe or direct for their own company, or as he may deem just. Also, by changing the number of section two (2) of the original bill, Senate File 103 to section four (4) and when so amended that the bill do pass.

RICHARD PRICE, *Chairman*.

Passed on file, and the bill as amended ordered printed.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 228, a bill for an act authorizing mutual benefit associations organized under the laws of the State of Iowa, and doing business upon the mutual assessment plan to consolidate, and authorizing such associations when having more than one division, to consolidate the same, 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.

RICHARD PRICE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 270, a bill for an act to prevent discrimination in life 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 do pass.

RICHARD PRICE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 158, 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 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 reported.

RICHARD PRICE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 315, a bill for an act entitled an act relating to certificates of membership in mutual benefit associations, 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.

RICHARD PRICE, *Chairman*.

Ordered passed on file.

Senator Harsh, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate file No. 250, 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 the substitute hereto attached be adopted in lieu thereof, and when so adopted the bill do pass:

A BILL

FOR AN ACT PROVIDING FOR THE WEEKLY PAYMENT OF WAGES BY CORPORATIONS.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That every manufacturing, mining, or quarrying, mercantile, railroad, street railway, telegraph and telephone corporation, and every incorporated express company, shall pay weekly each and every employe engaged in its business the wages earned by such employe to within six days of the date of said payment, and every incorporated city shall so pay every employe engaged in its business, and every municipal corporation not a city, shall so pay every employe engaged in its business, if so required by him. *Provided, however,* that if at any time of payment any employe shall be absent from his regular place of labor, he shall be entitled to said payment at any time thereafter upon demand; and *provided, also,* that the Board of Railroad Commissioners, after a hearing, may exempt any railroad, telegraph or express corporation from paying weekly any of its employes, who, in the opinion of the commissioners, prefer less frequent payments, and when in their opinion the interests of the public and such employes will not be impaired thereby. *Provided,* that in no case, by order of said Board of Railroad Commissioners, shall payment of wages be made less frequently than every thirty days.

SEC. 2. It shall be the duty of the Board of Railroad Commissioners, the inspectors of mines, and the mayors of all incorporated cities or towns having any such corporations within their limits or under their supervision, to bring suit against any such corporation which neglects to comply with the provisions of this act for a period of two weeks after having been notified in writing by such Railroad Commissioners, inspectors of mines, or mayors, that suit will be brought; *provided,* that nothing herein shall prevent the employe from commencing suit in his own name against any such corporation for wages due. On the trial of such complaint such corporation shall not be allowed to set up any defense for a failure to pay weekly any employe engaged in its business the wages earned by such employe to within six days of the date of said payment, other than the attachment of such wages or a valid assignment thereof, or a valid set-off against the same, or the absence of such employe from his regular place of labor at the time of payment, or an actual tender to such employe at the time of payment of the wages so earned by him. No assignment of future wages payable weekly under the provisions of this act shall be valid if made to the corporation from whom such wages are to become due, or to any person on behalf of such corporation, or if made or procured to be made to any person for the purpose of relieving such corporation from the obligation to pay weekly under the provisions of this act.

J. B. HARSH, *Chairman.*

Passed on file and ordered printed.

Senator Smith of Linn, from the Committee on Cities and Towns, submitted the following reports:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 66, a bill for an act to amend section 853, chapter 1, title 6 of the Code, relating to the lien of taxes between vendor and vendee, beg leave to report 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. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 206, a bill for an act relating to parks in cities of the first class and to authorize the election of park commissioners therein, and to define their powers and 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 the same be amended by striking out lines 1, 2, 3, 4 and 5 in section 1, and inserting the following in lieu thereof: "Section 1. That in all cities of the first class in the State of Iowa, incorporated under the general incorporation acts, there may be elected at the annual city election for the year 1891, or at a special election ordered before that time by two-thirds of the city council of any such city, a board of park commissioners consisting of five (5) members who shall be citizens and electors of said city, all of whom shall continue in office until their successors are elected and qualify as provided by law.

And there shall further be submitted at such city or special election the question whether or not the provisions of this act shall be accepted, to be voted upon by the legal voters of such city. The ballots to be used at such election shall be, "Park System, Yes," or "Park System, No," which said votes shall be cast, canvassed, and certified in the manner now provided by law or ordinance for casting, canvassing and certifying votes at a city election.

If a majority of the legal voters voting thereon shall vote "Park System, Yes," then the Board of Park Commissioners provided for by this act shall proceed to exercise all the powers granted in this act.

If the majority of such voters voting thereon shall vote "Park System, No," the said Board of Commissioners shall exercise none of the powers specified in this act.

Also, by striking out lines 15, 16, 17, 18 and 19 in section 1.

Also, by inserting the word "public" before the word "parks" in line 2 of section 2.

Also, by inserting the words "and accept," before the word "title" in line 10 of section 2.

Also, by striking out all after the word "lease" in line 11, to and including the word "price" in line 15 of section 2.

Also, by striking out the word "five" in line 120 of section 3, and inserting the word "one" in lieu thereof.

Also, by striking out the figure "5" in line 121 of section 3, and inserting the figure "1" in lieu thereof.

Also, by inserting the word "public" before the word "park" in lines 2, 4, 13, 14 and 15, in section 4.

Also, by inserting the words, "and a copy of said notice shall be served by the sheriff of the county personally, or by leaving at the place of abode of each person

known to be the owner or interested in any lands so assessed at least five (5) days before the time for such application, and due returns shall be made by said sheriff of the service of said notice as in service of original notices " after the word "roll" in line 40 of section 4.

Also, by striking out the words "the same revise" in line 45 of section 4, and inserting the words "revise the same," in lieu thereof.

Also, by inserting the words "lots, blocks," after the word "tracts" in lines 48, 58, 62, 72 and 76 of section 4.

Also, by striking out all after the word "application" in line 50, to and including the word "facts" in line 53 of section 4.

Also, by inserting the word "tracts" after the word "several" in line 63 of section 4.

Also, by inserting the words "of land" after the word "parcels" in line 68 of section 4.

Also, by striking out all of "section 15."

Also, that sections 16, 20 and 21 be renumbered so as to read as follows: Sections 15, 16 and 17, and when so amended, the bill do pass.

J. H. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 332, a bill for an act to dispose of fines in penal cases in incorporated cities and towns, beg leave to report 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. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 340, a bill for an act authorizing the crossing of railway tracks by street 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 the same be amended by striking out the words "as required by law" in line two of section two, and inserting the words "newspapers published in Des Moines, Iowa," in lieu thereof, and when so amended the bill do pass.

J. H. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 132, a bill for an act to authorize certain cities of the second class 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 same be amended by inserting the words "of the second class" after the word "cities" in line 1 of section 1; also, by striking out the words and figures "and existing under the provisions of sections 421, 422, 423, 424 and 425, of the Code," in lines 1 and 2 of section 1, and inserting the words, "under the general incorporation laws," in lieu thereof;

also, by inserting the words "prior to action contemplated herein by city council," after the word "census," in line 3 of section 1; also, by inserting the words "as provided in section 1 hereof," after the word "upward" in line 2 of section 2; also, by inserting the words "provided, however, that at the time of passing such ordinance or directing such building or repairs, the council must signify and record which plan or plans it has chosen for such city, or for certain districts in such city," after the word "elect" in line 11 of section 2, and when so amended the bill do pass.

J. H. SMITH, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 325, a bill for an act conferring upon cities and incorporated towns certain additional powers relating to the construction of street railways and to define the motive power 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 same be amended by inserting the word and figure "section 3," in line one, before the words "this act," and when so amended the bill do pass.

J. H. SMITH, *Chairman*.

Ordered passed on file.

Senator Dungan, from the Committee on Mines and Mining, submitted the following reports:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate file No. 365, a bill for an act limiting the size of screens to be used in the screening of coal at the mines of the State and fixing the width to be used, beg leave to report that they have had the same under consideration, 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 so adopted that the substitute 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. 134, a bill for an act relating to the liability of mine operators for the negligence or wrongs of 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 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 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 of the committee have instructed

me to report the same back to the Senate with the recommendation that it be placed on the calendar next after substitute Senate file 365, and if said substitute fail to pass the Senate, that Senate file No. 14 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. 9, a bill for an act to amend chapter 54 of the acts of the 22d General Assembly, providing for weighting coal at 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 it be placed on the calendar next after substitute for Senate file No. 365 and Senate file No. 14, and if neither of these bills pass the Senate, that it do pass.

WARREN S. DUNGAN, *Chairman*.

So referred.

Senator Ed. P. Seeds, from the Committee on Compensation of Public Officers, submitted the following reports:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 257, a bill for an act regulating contracts of employment of managers and superintendents of State institutions, whose compensation is not fixed by 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 the word "Governor" in the 7th line of section 1, and inserting in lieu thereof the words "Executive Council," and as so amended that the bill do pass.

ED. P. SEEDS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 360, a bill for an act providing for the election of certain county officers, fixing their term of office and making said officers ineligible to re-election until one term of office shall have intervened, beg leave to report 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 Committee on Elections.

ED. P. SEEDS, *Chairman*.

So referred.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 342, a bill for an act to amend section 4783 of chapter 200 of acts of the Eighteenth General Assembly, relating to compensation of the officers of the penitentiaries, beg leave to report 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 1 in lines 1

and 2, the following: "of chapter 200 of the acts of the Eighteenth General Assembly," and inserting in lieu thereof the words "of the Code," and as amended, that it do pass.

ED. P. SEEDS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 128, a bill for an act to amend section one of chapter one hundred and twenty-one of the laws 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 it be referred to the Committee on Military, at author's request.

ED. P. SEEDS, *Chairman*.

So referred.

Also:

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 sixteen of chapter fifty-eight 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 referred to Committee on Military, at author's request.

ED. P. SEEDS, *Chairman*.

So referred.

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

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 168, a bill for an act to establish and maintain 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 should the General Assembly determine on the establishment of an additional normal school or schools, that the appropriation committee recommend the sum of fifty thousand dollars for such establishment and support.

A. B. FUNK, *for the Chairman*.

Made a special order for Tuesday, April 1st, at 10 o'clock A. M.

Senator Finn, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 2, a bill for an act creating a board of school book commissioners, and to provide for furnishing text-books for the common schools 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 accompanying substitute for that and other bills be adopted and that it do pass.

The committee have ordered 500 copies of the substitute printed.

G. L. FINN, *Chairman*.

Ordered passed on file.

Leave granted to Senator Meservey to file a minority report.

Senator Perkins, from Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 244, a bill for an act for an appropriation for the claim of J. P. Bushnell & Co., for preparing, publishing and distributing five thousand copies of Iowa's resources and industries 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 with the recommendation that it be amended by striking out of section one (1) the words "three thousand four hundred and seventy-two" and inserting in their stead "two thousand five hundred," and adding to line six (6), after the word "same," "be received by said J. P. Bushnell & Co. in full payment for all claims against the State of Iowa for matters and things recited in the preamble of this act," and that when so amended it do pass.

GEO. W. PERKINS, *Chairman.*

Ordered passed on file.

Senator Barnett, 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. 300, a bill for an act establishing county uniformity of school text-books, creating a board of school book commissioners, defining the duties thereof, fixing the compensation of said board and providing for retrenchment and reform in the purchase and supplying of school text-books for use in the public schools 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 it be referred to the Committee on Schools.

J. H. BARNETT, *Chairman.*

So referred.

Senator Lawrence, from the Committee on Elections, submitted the following reports:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate file No. 4, a bill for an act to provide for printing and distributing ballots at the public expense, and to regulate voting at State and other 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 indefinitely postponed.

J. S. LAWRENCE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate file No. 161, a bill for an act to amend section 1072 of the Code, relating to the hours of opening and closing of polls at 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.

J. S. LAWRENCE, *Chairman.*

Ordered passed on file.

On motion of Senator Davidson, Senate file No. 116, a bill for an act to amend sections 603, 606, 615 and 616 of chapter three, title five, of the Code, relating to elections, with report of the Committee recommending that it be indefinitely postponed, was taken up and considered, and referred to the Committee on Retrenchment and Reform.

BILLS ON THIRD READING.

Senate file No. 10, a bill for an act to repeal sections 1, 2, 3, 4, of chapter 12 of the acts of the Eighteenth General Assembly, relative to the management of the permanent school fund and to enact a substitute therefor, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Eailey, Ballingall, Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Engle, Gobble, Groneweg, Hanchett, Harsh, Kelly, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Rich, Seeds, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Wolfe—36.

The nays were:

Senators Bolter, Dodge, Finn, Funk, Kent, Price, Schmidt—7.

Absent or not voting:

Senators Dungan, Gatch, Kegler, Reiniger, Shields, Weidman, Woolson—7.

Senator Mack moved to strike out the figure "4" in the title of the bill.

Carried.

So the bill passed and title as amended was agreed to.

Senator Finn filed the following explanation of his vote:

The bill takes from the school fund the sum of forty-five thousand dollars per annum, which will have to be supplied by the levy of additional taxes. By making the rate of interest less than money can be obtained from other sources, the persons handling the fund and determining to whom it shall be loaned can favor and reward friends by giving them the preference, and deny others who have the same right to share the benefits which come from so low a rate of interest. It is not in the interest of the people generally, but those who borrow on real estate and may be favored by county auditors, or others who charge a bonus for finding cheap money for borrowers. The fund can all be loaned at from seven to eight per cent, and the school fund should be as sacredly guarded as any other, and allowed to earn as much legitimately as possible, and to obtain the same rate of interest as the law permits to be charged by others in the State of Iowa.

For the foregoing reasons I vote no.

G. L. FINN, *Senator 6th district.*

RESOLUTION.

Senator Caldwell offered the following:

Resolved, That the Committee on Rules be instructed to examine into the matter of diagram of the Senate Chamber as just printed and report by resolution or otherwise as to what if any change should be made therein.

Referred to the Committee on Rules.

The journal of yesterday was corrected and approved.

On motion of Senator Mills, Senate file No. 322, a bill for an act to amend section (1), chapter thirty-two (32), laws of the Eighteenth General Assembly of the State of Iowa, with report of committee recommending amendments and when adopted that it do pass, was taken up and considered.

Senator Seeds moved to amend the substitute by striking out the words "120 rods" wherever they occur, and inserting "not more than 2 miles."

Adopted.

The first amendment proposed by the committee was adopted.

Senator Mills 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gobble, Groneweg, Harsh, Kelly, Kent, Lawrence, Mattoon, McCoy, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Wolfe, Woolson—42.

The nays were—none.

Absent or not voting:

Senators Caldwell, Cassatt, Gatch, Hanchett, Kegler, Mack, McVay, Weidman—8.

The amendment to the title, of the bill proposed by the committee, was adopted.

So the bill passed and the title, as amended, was agreed to.

On motion of Senator Barnett, Senate file No. 38, a bill for an act to provide for the listing and assessment for taxation of the capital stock of banks organized under the laws of this State, with report of committee recommending a substitute and when adopted it do pass, was taken up and considered, and the substitute was read first and second times.

Senator Seeds moved to amend the bill by striking out all in the section after the word "other" and inserting the words "other taxable property."

Senator Meservey moved that further consideration of this bill be postponed until Friday at 11 o'clock A. M., at which hour it be made a special order and that in the meantime substitute be printed.

Carried.

On motion of Senator Mosnat, House file No. 79, a bill for an act to amend section 471, of the Code of 1873, relative to the powers of cities and towns relative to water works, gas works and electric light plants, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Mattoon, Senate file No. 313, a bill for an act to amend section one (1), chapter 137, laws of the Twenty-second General Assembly, relative to registered pharmacists, with report of committee recommending that it do pass, was taken up and considered.

Senator Woolson moved that further consideration of this bill be postponed, and that it be made a special order for Friday at 10.30 o'clock A. M.

Carried.

On motion of Senator Bailey, Senate file No. 241, a bill for an act amendatory of section 3, of chapter 184, of the laws passed by the Eighteenth General Assembly, relative to compensation of county auditors, with report of committee recommending that it do pass, was taken up and considered.

Senator Kelly moved to amend by striking out the word "twenty" where it occurs and inserting the word "fifteen."

Adopted.

Senator Bailey 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 Bailey, Ballingall, Barrett, Bayless, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dodge, Funk, Gobble, Groneweg, Hanchett, Harsh, Kelly, Kent, Lawrence, Mack, McCoy, McVay, Meservey, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Vale, Wolfe—36.

The nays were:

Senators Dungan, Engle, Mattoon, Stewart, Taylor—5.

Absent or not voting:

Senators Barnett, Bills, Cassatt, Finn, Gatch, Kegler, Mills, Weidman, Woolson—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 Senate bill:

Senate file No. 381, a bill for an act conferring additional powers upon certain cities of the first class in respect to assessors. Also, that the House has concurred in the following concurrent resolutions: relative to instructing and requesting Iowa Senators and Representatives in Congress to ask for an appropriation to pay the claim of Captain Washington Galland, for expenditures in raising, organizing and subsisting recruits for the army of the United States.

Also, relative to the lists of ex-soldiers and marines now in possession of the Adjutant-General.

H. S. WILCOX, *Chief Clerk.*

On motion of Senator Wolfe, House file No. 55, a bill for an act to amend section 1, of chapter seventeen (17), laws of the Twenty-second General Assembly, with report of a majority of the committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gobble, Groneweg, Hanchett, Harsh, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Stewart, Taylor, Vale, Wolfe—41.

The nays were:

Senator Woolson—1.

Absent or not voting:

Senators Cassatt, Clyde, Gatch, Kegler, Kelly, Mills, Smith of Wright, Weidman—8.

So the bill passed and the title was agreed to.

Senator Woolson filed the following explanation of his vote:

As I apprehend the force of the proposed change in the present law relating to the funding of city indebtedness, I cannot vote for this measure. This bill, if enacted into a law, changes the present law into a continuous funding law, and will

enable any city hereafter desiring to do so, to incur and fund city indebtedness at its pleasure, subject only to the constitutional limitations. I fear the effect of this change will inevitably be to encourage rather than restrain lavish expenditures by city authorities. Because I am of opinion that this theory ought not to prevail, but rather that all laws should tend to strongly repress the general tendency to excessive city expenditures, I vote no

JNO. S. WOOLSON, *Senator 10th District.*

On motion of Senator Caldwell the resolution introduced by him relative to the diagram of the Senate Chamber, was recalled from the Committee on rules and adopted.

On motion of Senator Reiniger, Senate file No. 151, a bill for an act to amend section 4043 of the Code, relating to lotteries, 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 be considered engrossed and 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 Bailey, Barnett, Barrett, Bayless, Bills, Caldwell, Cleveland, Clyde, Davidson, Dungan, Engle, Finn, Funk, Gobble, Harsh, Lawrence, Mack, McCoy, McVay, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Wolfe, Woolson—32.

The nays were:

Senators Ballingall, Bolter, Cassatt, Groneweg, Hanchett, Kelly, Kent, Mattoon, Rich, Shields—10.

Absent or not voting:

Senators Brower, Dodge, Gatch, Kegler, Meservey, Mosnat, Schmidt, Weidman—8.

So the bill passed and the title was agreed to.

Senator Kelly filed the following explanation of his vote:

MR. PRESIDENT—As this bill makes no change in the present law, except so far as it discriminates between newspapers published within and outside the State, and as I do not regard this change of sufficient importance, I vote no.

M. J. KELLY, *Senator 25th district.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I herewith present for your signature Senate file No. 192, which has passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

Also: 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:

Concurrent resolution relative to ordering Railroad Commissioners to procure the printing and distribution of maps.

Also: That the House has concurred in substitute for joint resolution No. 2, relative to placing jute and sisal grass on the free list.

Also: That the House has passed the following Senate bills:

Senate file No. 330, a bill for an act to legalize the acts of the independent district of Fremont, Mahaska county, Iowa, relating to the voting of bonds for the purpose of building a school house.

Senate file No. 105, a bill for an act to amend section 17, chapter 94, laws of the Nineteenth General Assembly.

H. S. WILCOX, *Chief Clerk*.

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA, }
EXECUTIVE OFFICE, DES MOINES, March 25, 1890. }

MR. PRESIDENT—I am directed by the Governor to inform you that he has approved, signed and deposited in the office of the Secretary of State the following bills:

Senate file No. 88, an act to amend section 2077, Code of Iowa, relating to interest.

Senate file No. 208, an act to amend sections (6) six, and (7) seven of chapter one hundred fifty-nine (159) of the laws of the Twentieth General Assembly of Iowa in relation to taxes in aid of railroads, and

Senate file No. 295, an act appropriating money to defray the expenses of the inauguration ceremonies.

FRED'K W. HOSSFELD, *Private Secretary*.

Senator Engle moved that the Senate now take up for consideration Senate file No. 164, a bill for an act to amend section 506 of the Code of 1873, with report of the committee recommending amendments, and that it do pass.

Lost.

Senator Groneweg moved that the Senate do now adjourn until 2 o'clock this afternoon.

Lost.

Senator Bayless moved that the Senate do now adjourn until 9 o'clock A. M. to-morrow.

Senator Kelly moved to amend by making the hour 10 o'clock.

Lost.

The original motion was then adopted and the Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, Thursday, March 27, 1890. }

Senate met in regular session at 9 o'clock, A. M., and was called to order by Hon. A. F. Meservey, President pro tem.

Prayer by Rev. W. F. Cronk.

Senator Ballingall moved that 300 copies of Senate file No. 358 be ordered printed

Carried.

Senator Dodge filed a motion to reconsider the vote by which the committee report on House file 79, a bill for an act to amend section 471 of the Code of 1873, relative to the powers of cities and towns relative to water works and electric light plants was adopted.

Senator Harsh arose to a question of privilege and had sent to the clerk's desk and read a letter to a business man in the eighth congressional district, containing the following:

In obedience to the order of the State convention, I have had the Garnishment bill introduced in both branches of the legislature. * * * * *

So far we have met with active opposition to our bill only from one member of the legislature—Senator Harsh of Union county. He has his knife sharpened for the bill and is opposing it strenuously, not to say vindictively.

(Signed),

A. S. BURNELL.

Senator Harsh also sent to the clerk's desk and had read the following heading of a petition sent him from a town in the eighth congressional district, evidently in response to the above letter:

"Understanding that you are opposed to any amendment to the exemption law, of the State of Iowa, * * * * * we as business men of the eighth congressional district earnestly request you to work for our interest * * * feeling sure that we can convince you that we have more political influence than the dead-beat who alone will be benefited by the defeat of the amendment."

Senator Harsh said:

MR. PRESIDENT—The letter first read by the clerk is dated at Marshalltown, Iowa, March 24, 1890. It refers, so the writer says, to a bill before this legislature. I have taken no action in connection with the subject matter except when the other day petitions were presented in the Senate asking that the sums exempt to wage workers be decreased. I then moved that such petitions be referred to Committee on Labor. They were so referred. I expressed no opposition to the bill. In fact, at the time, after diligent search, I could find no bill. I understand at that time no bill on the subject had been printed. I do not now know whether I am opposed

to the bill or not, as I have not seen it. If such a bill shall come before the Committee on Labor, it will have, so far as I am concerned, careful consideration, and if upon the floor I find, after investigation, the bill to be a good one, it will receive my vote; but, Mr. President, no threatening letters from Mr. Burnell will affect my action one way or another. I have much respect for the opinions of business men of the State of Iowa, of which I am one, but equally so for the rights of the wage workers of the State. While guarding the interests of the former, I shall also be careful to endeavor to protect the rights of the latter. I shall form my opinion of the bill when I see it and have considered its provisions. Until then I protest against being represented as being in favor of or opposed to the bill.

PETITIONS AND MEMORIALS.

Senator Clyde presented petition of Riverside Alliance of Worth county for joint rates, and for district purchase of school text-books.

Referred to Committee on Railways.

Senator Mattoon presented petition of N. V. Burdick and 198 others of Postville, Allamakee county, asking the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Caldwell presented petition of G. B. Squires and twenty-seven other citizens of Audubon county, and petition of Segel Habelnicht and 57 other citizens of Dallas and Guthrie counties, against the repeal or modification of the prohibitory liquor law.

Referred to Committee on Public Health.

Senator Barnett presented petition of Osceola Post No. 173, asking the General Assembly to make appropriation out of direct war tax for hospital at Soldiers' Home, balance of tax to return to soldiers' relief commissions.

Referred to Committee on Appropriations.

Senator Funk presented petition of 14 citizens of Dickinson county, asking for established joint freight rates.

Referred to Committee on Railways.

Senator Funk presented petition of 14 citizens of Dickinson county, asking school book legislation.

Referred to Committee on Schools.

Senator Barrett presented petition of F. A. Durfee and 40 others, asking for appropriation to aid farmers' institute.

Referred to Committee on Appropriations.

Senator Seeds presented petition of F. J. Johnson and 135 other citizens of Delaware county, in favor of Senator Funk's fish bill.

Passed on file and leave granted to withdraw.

Senator Perkins presented petition of Z. I. Delong and 72 others of Clarinda, Page county, against any change in the present prohibitory law.

Referred to Committee on Public Health.

Senator Mack presented petition of S. A. Bullock and 29 others from Pocahontas county, asking for district purchase of school books.

Referred to Committee on Schools.

Senator Mack presented petition of S. A. Bullock and 16 others from Pocahontas county, asking for joint rates.

Referred to Committee on Railways.

Senator Bayless presented petition of Fred E. Branch and 20 others, owners of stallions and breeders of Clayton county, asking for certain lien laws.

Referred to Committee on Agriculture.

Senator Harsh presented petition of Crown Alliance No. 1428, favoring the passage of Senate file No. 275 in reference to the manufacture of binding twine.

Referred to Committee on Agriculture.

Senator Schmidt presented petition of Aug. Wentz Post No. 1, of Davenport, Iowa, against soldiers' monument, and favoring appropriation for hospital.

Referred to Committee on Appropriations.

Senator Bolter presented petition of E. T. Ryan & Co. and 72 others of Crawford and Harrison counties, asking for a change in the exemption law.

Referred to Committee on Judiciary.

HOUSE MESSAGE.

The House message, relative to authorizing the Railroad Commissioners to have printed 10,000 copies of railroad maps of Iowa, was taken up and considered, and on motion of Senator Funk was concurred in.

REPORTS OF STANDING COMMITTEES.

Senator Woolson, from the Committee on Judiciary, submitted the following reports:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 296, a bill for an act to amend sections 1695 and 1696, chapter 7, title 12 of the Code, relating to the Iowa 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 the same be amended.

(1) By striking out of sections 1 and 2 the words "chapter 7, title XII," where the same occurs therein.

(2) By striking out of said sections 1 and 2 the word "or" in the last line of each of said sections, and inserting the word "and" in lieu thereof.

(3) By striking the words "State Leader" out of section 3 and inserting the words "Des Moines Leader," in lieu thereof.

Amend title by striking out the words "chapter 7, title XII," 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. 102, a bill for an act to amend section 2 and 3 of chapter 22 of the acts of the Eighteenth General Assembly, relating to reports of expenses of criminal prosecutions, beg leave to report 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 to punish certain officers of the law for not enforcing the law, 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. 155, a bill for an act to legalize the incorporation of the town of Paullina, O'Brien 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. 165, a bill for an act to legalize the acts of Geo. C. Anderson, a justice of the peace in and for Otter Creek township, Linn 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. 299, a bill for an act to legalize the incorporation of the town of Rock Valley, Sioux 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. 233, a bill for an act to repeal section 1, chapter 11, of the laws of 1888, 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 author having requested leave to withdraw the bill, his request be granted.

JNO. S. WOOLSON, *Chairman*.

On motion of Senator Woolson, the report of the committee was taken up, adopted, and the bill was withdrawn by Senator Caldwell.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 190, a bill for an act to amend section 2272 of the Code of 1873, and to provide for appointing guardians of the persons of habitual drunkards, and for the custody, restraint and confinement of habitual drunkards, and their reformation under the orders of the district court or the judge thereof, and for terminating such guardianship, 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 a memorial from a convention of sheriffs, marshals, and chiefs of police of Iowa, relative to certain amendments to the criminal laws 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 committee be discharged from further consideration of the same.

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 Senate file No. 372, a bill for an act to protect laborers and miners, for labor performed in coal mines additional to chapter 100, acts of the Sixteenth General Assembly, and chapter 179, 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 do pass.

WARREN S. DUNGAN, *Chairman*.

Ordered passed on file.

Senator Finn, from the Committee on Schools, submitted the following reports:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 61, a bill for an act providing a plan whereby the people of an independent school district, or district township, may, by a majority vote, empower the directors to purchase school books in large quantities, thereby obtaining the same at the lowest

possible price, and secure uniformity in text-books in said school district, beg leave to report 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 prepared and reported a substitute for all text-book bills.

G. L. FINN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 92, a bill for an act authorizing board of directors of any district, township or independent school district to supply school books to the pupils free of cost, beg leave to report 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 prepared and reported a substitute for all text-book bills.

G. L. FINN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 36, a bill for an act for the publication and distribution of school text-books, and to secure uniform text-books in the common schools 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 your committee has prepared and reported a substitute for all text-book bills.

G. L. FINN, *Chairman*.

Ordered passed on file.

Senator Barnett, from the Committee on Retrenchment and Reform, submitted the following reports:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred Senate file No. 347, a bill for an act for securing and compiling information in regard to the increase of the cost of the public service from the year 1860 to the present time, beg leave to report 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 one (1) strike out after the words "taxation for," in the third line, the word "various," and insert therefor the word "all." In the fourth line after the words "items of State," strike out the words "and county," in the beginning of the fifth line of said section strike out the words and figures "For the years 1860, 1865, 1870, 1875, 1880, 1885 and 1890," insert therefor the words "from the year 1860 to the present time, in biennial periods," and strike out all of sections two (2) and three (3), and after being so amended that it do pass.

J. H. BARNETT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred Senate file No. 232, a bill for an act to amend chapter one hundred and

eighty-five (185), the acts of the Twentieth (20) General Assembly, and chapter one hundred and forty-nine (149), of the acts of the Twenty-first General Assembly, in relation to the inspection of illuminating oils, beg leave to report 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. BARNETT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred Senate file No. 180, a bill for an act to regulate and fix the rental for the use of telephones and for labor and service charges for switching, construction and maintenance of telephone lines, batteries and apparatus connected therewith, and fixing a penalty for its violation, beg leave to report 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. BARNETT, *Chairman*.

Ordered passed on file.

Senator Brower, from the Committee on Banks, submitted the following report:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate file No. 200, a bill for an act to regulate private banking in Iowa and to protect patrons of such 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 without recommendation.

N. V. BROWER, *Chairman*.

Ordered passed on file.

Senator Davidson, 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. 193, an act to amend chapter 167, laws of the Nineteenth General Assembly, in relation to State certificate and diplomas to teachers.

D. B. DAVIDSON, *Chairman*.

Senator Parrott, from the Committee on Ways and Means, submitted the following reports:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 213, a bill for an act to provide for the purchase of property for the purpose of holding old settlers' meetings and to keep the same in 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 it be indefinitely postponed.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 302, a bill for an act to amend section six (6), chapter twelve (12), laws of the 18th General Assembly, relating to the management of the permanent school fund, beg leave to report 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 Ways and Means, to whom was referred Senate file No. 18, a bill for an act to better equalize taxation and instruct assessors in performing 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.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Senator McCoy, 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. 111, a bill for an act amendatory of chapters 71 and 73 of the acts of the Twenty-second General Assembly, and to provide for local option in respect to manufacturing and selling intoxicating liquors, by permitting, under certain conditions, any city, town or township to vote for or against license, and providing for the granting of license for dram shops, and for the manufacture of such liquors respectively, in the respective cities, towns or townships which shall by vote of the electors thereof favor license, beg leave to report 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 Suppression of Intemperance, to whom was referred Senate file No. 201, a bill for an act to repeal chapter 6, title 11 of the Code, and all acts and parts of acts amendatory or supplementary thereto, and to regulate the sale of intoxicating liquors, beg leave to report 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.

BEN. MCCOY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 246, a bill for an act providing for licensing and regulating or prohibiting the sale of intoxicating liquor 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.

BEN. MCCOY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 57, a bill for an act to authorize the board of supervisors of any county to submit to the legal voters of any township, incorporated city or town, or city organized under special charter, the proposition whether or not a license for the sale of spirituous, malt or vinous liquors shall be granted; to establish rules, regulations and restrictions under which such liquors may be sold in townships, incorporated cities and towns, and cities organized under special charter, wherein the voters, by a majority vote, have declared in favor thereof; to fix the license fee for the privilege of selling liquors in such localities; and to provide for penalties and fines for any violations of the provisions of this act; to grant permits to druggists upon certain conditions, without license, and to repeal acts and parts of acts inconsistent with this act, including sections 1523, 1525, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558 and 1559, of the Code of 1873, and chapter 119 of the Seventeenth General Assembly, and Chapter 82 of the Eighteenth General Assembly, and chapters 8 and 143 of the Twentieth General Assembly, and chapters 66 and 113 of the Twenty-first General Assembly, and chapters 71, 72 and 73 of the Twenty-second General Assembly; also to permit persons to sell wine made from grapes grown or raised upon land owned or occupied by them within the State of Iowa, in quantities of not less than one gallon, without paying a license 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.

BEN MCCOY, *Chairman*.

Ordered passed on file.

Senator Engle, from the Committee on Horticulture and Forestry, submitted the following report:

MR. PRESIDENT—Your Committee on Horticulture and Forestry, to whom was referred Senate file No. 214, a bill for an act to establish and set apart Arbor Day as a holiday, and to be observed by the schools 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 it do pass.

PERRY ENGLE, *Chairman*.

Ordered passed on file.

Senator Bayless, from the Committee on Military, submitted the following reports:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 286, a bill for an act to exempt honorably discharged soldiers and sailors from payment of county poll 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 it be indefinitely postponed.

F. D. BAYLESS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 264, a bill for an act requiring standard United States bunting flags to be placed on all school-buildings in towns and cities of more than one thousand inhabitants, and providing for military instruction, beg leave to report 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.

F. D. BAYLESS, *Chairman*.

Ordered passed on file.

Lieut.-Gov. Poyneer now took the chair.

On motion of Senator Funk, Senate file No. 51, a bill for an act for the protection and preservation of fish, and repealing sections 1, 2, 3, 4, 6, 7, 8, 9, 10 and 11, chapter 59, acts of the Fifteenth General Assembly; chapter 70, acts of the Sixteenth General Assembly; sections 3, 4, 5, 6, 7 and 8, chapter 80, acts of the Seventeenth General Assembly; chapter 92, acts of the Eighteenth General Assembly, and chapter 9, acts of the Twentieth General Assembly, with report of committee recommending amendments, and when adopted it do pass, was taken up and considered.

On motion of Senator Funk the amendments proposed by the committee were considered separately.

The first amendment was adopted. The second amendment was adopted. Senator Funk moved that the words "is paid" at the end of section 5 be stricken out.

Carried.

The third amendment as amended was then adopted; that part of the committee report striking out sections 12 and 13 was adopted.

The fourth amendment proposed by the committee was adopted.

Senator Bailey offered the following substitute for section 13:

SEC. 13. It shall be unlawful for any person to fish, or catch in any manner, any fish in any streams in this State which has been stocked with breeding trout one or two years old, by this state, or the United States fish commissioner, for one year from date of said stocking, provided notice of said stocking is posted by authority of the State fish commissioner wherever a public highway crosses such stream. Any violation of this section shall be subject to the penalties prescribed in section 5 of this act.

Adopted.

The amendment as amended was adopted.

Senator Bailey moved to amend section nine (9) by striking out the words "and five" in the first line of the printed bill, and inserting "5 and 13" in lieu thereof.

Senator Davidson moved to amend the amendment by striking out all of section 9.

On this the yeas and nays were demanded.

The yeas were:

Senators Brower, Caldwell, Cleveland, Clyde, Davidson, Finn, Harsh, Groneweg, Kelly, McCoy, Mills, Price, Stewart, Vale—14.

The nays were:

Senators Bailey, Ballingall, Barrett, Bayless, Bills, Bolter, Dodge, Dungan, Engle, Funk, Hanchett, Kent, Lawrence, Mack, Mattoon, Meservey, Mosnat, Perkins, Reiniger, Rich, Seeds, Taylor—22.

Absent or not voting:

Senators Barnett, Casatt, Gatch, Gobble, Kegler, McVay, Parrott, Schmidt, Shields, Smith of Linn, Smith of Wright, Weidman, Wolfe, and Woolson—14.

So the amendment was lost.

The question now recurring on the original amendment offered by Senator Bailey, it was adopted.

Senator Reiniger moved to amend by inserting, after the word "suckers," in the fourth line of section two (2), of the printed bill, the words "from the lakes in this State."

Lost.

Senator Seeds moved to strike out the figure "4" in the second line of section 1 of the printed bill.

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 Bailey, Ballingall, Barrett, Bayless, Bolter, Brower, Caldwell, Cleveland, Clyde, Dodge, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Stewart, Taylor, Vale, Woolson—42.

The nays were—none.

Absent or not voting:

Senators Barnett, Bills, Cassatt, Davidson, Kegler, Smith of Wright, Weidman, Wolfe—8.

Senator Seeds moved to amend the title of the bill by striking out the figure "4" from the fourth line of the printed bill.

Carried.

So the bill passed and the title, as amended, was agreed to.

The hour having arrived for consideration of the special order, it being Senate file No. 196, a bill for an act to amend chapter 28, of the acts of the Twenty-second General Assembly, giving authority

for the making of rates for the transportation of freight and cars over two or more lines of railroad within the State, and enlarging the powers and further defining the duties of the Board of Railroad Commissioners, with report of the committee recommending amendments and that it do pass, was taken up and considered, and on motion of Senator Meservey was deferred until 10 o'clock A. M., to-morrow, at which hour it was made a special order.

On motion of Senator Finn, Senate file No. 6, a bill for an act to amend chapter 9 of the Code of 1873, and make the same applicable to private bankers, with report of committee recommending a substitute and when adopted that it do pass, was taken up, considered, and on motion of Senator Finn, it was made a special order for Monday at 10 o'clock A. M.

On motion of Senator Finn, Senate file No. 7, a bill for an act to amend section 1034 of the Code of 1873, in reference to the election of county auditor, with report of committee recommending amendments and when adopted that it do pass, was taken up and considered.

The question being on the adoption of the committee report.

Senator Finn moved as a substitute for the committee amendment that the words "one year" be stricken out of the last line of section one and inserting "three years."

Pending which, the hour having arrived for consideration of the second special order, it being Senate file No. 113, a bill for an act to amend chapter 16, laws of the Twenty-second General Assembly, entitled: "An act granting additional powers to certain cities of the first-class, and to cities organized under special charters, and cities of the second-class having over seven thousand inhabitants," with report of the committee recommending that it do pass, was taken up and considered.

The question being on the adoption of the substitute offered by Senator Wolfe, it was withdrawn.

Senator Harsh offered the following amendment: "Amend by striking out all after the word 'following' third line and insert, 'That so much of this chapter as refers to the bridge fund shall not apply to first-class cities organized under the general incorporation laws of this State during the years between 1887, and 1890, nor to second-class cities having a population of less than 10,000 by the census of 1875, nor to cities acting under special charters and having a population of less than 4,000 by the census of 1885.'"

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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Stewart, Vale, Wolfe—43.

The nays were—none.

Absent or not voting:

Senators Cassatt, Gessler, Kelly, Smith of Wright, Taylor, Weidman, Woolson—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. 37, a bill for an act to amend chapter 28 of the acts of the 22d General Assembly, giving authority for the making of rates for the transportation of freight and cars over two or more lines of railroad within this State, and enlarging the powers and further defining the duties of the Board of Railroad Commissioners.

H. S. WILCOX, *Chief Clerk*.

Also, that the House has passed the following Senate bills:

Senate file No. 260, a bill for an act to repeal section 1 of chapter 10, of the laws of the 22d General Assembly, and to enact a substitute therefor.

Also, Senate file No. 338, an act to grant cities under special charters the power to fix the compensation of their mayors and to legalize compensation heretofore paid to the mayors of such cities.

HENRY S. WILCOX, *Chief Clerk*.

Per ROBB, *Assistant*.

The Senate resumed consideration of Senate file No. 7, a bill for an act to amend section 1034 of the Code of 1873, in reference to the election of county auditors, which had been interrupted by the special order.

The question being on the adoption of the substitute by Senator Finn, for the amendment proposed by the committee, on this the yeas and nays were demanded.

The yeas were:

Senators Brower, Davidson, Finn, Mattoon, Parrott, Price, Reiniger, Seeds—8.

The nays were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cassatt, Cleveland, Clyde, Dodge, Dungan, Funk, Gatch, Goble, Groneweg, Hanchett, Harsh, Kelly, Kent, Lawrence, Mack, McVay, Meservey, Mills, Mosnat, Perkins, Rich, Schmidt, Shields, Smith of Linn, Stewart, Taylor, and Vale—35.

Absent or not voting:

Senators Engle, Kegler, McCoy, Smith of Wright, Weidman, Wolfe and Woolson—7.

So the substitute was lost.

The question now being on the amendment proposed by the committee, it was adopted.

Senator Dungan moved to amend by striking out the figures "1034," in the first line of the printed bill, and insert "589."

Adopted.

Senator Hanchett offered the following amendment:

Strike out all after the enacting clause and insert,

SECTION 1. That at the general election in November, 1891, and every four years thereafter, there shall be elected in each county in the State a clerk of the district court, a sheriff, treasurer and recorder of deeds, who shall hold their office for four years and until their successors are elected and qualified. All of said officers shall be ineligible to a re-election to any of said offices until one term thereof shall have intervened.

SEC. 2. At the general election held in November, 1893, and every four years thereafter, there shall be elected in each county in the State an auditor, coroner, county superintendent of schools and a surveyor, who shall hold their office for four years and until their successors are elected and qualified. All of such officers shall be ineligible to a re-election to any of said offices until one term thereof shall have intervened. The present incumbents of the offices mentioned in this and section 1 of this act shall continue in office until their successors shall have been elected under this act, but shall, at what would have been the expiration of their present term of office, furnish a new bond, to be approved by proper authorities.

SEC. 3. All acts or parts of acts in conflict herewith be and the same hereby are repealed.

Lost.

Senator Woolson moved to amend by adding section 3, as follows:

It shall be the duty of the county auditor of each county to present, at the regular January meeting, in 1892, of the board of supervisors of his county, a good and sufficient bond in such penal sum and with such conditions as are now prescribed by law, for the official bond of such auditor, which said bond shall be the official bond of the said auditor for the year 1892, and shall be subject to approval, as now provided by law for the approval of bonds of county auditors, and in case any county auditor shall fail to furnish said bond, as in this section required to

be presented and approved, such failure shall create a vacancy in the office of such county auditor in his county for the year 1892, and such vacancy shall thereon be filled as now provided by law for filling vacancies in said office.

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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kelly, Kent, Lawrence, Mack, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Rich, Schmidt, Seeds, Shields, Smith of Linn, Stewart, Taylor, Vale, Wolfe, Woolson—44.

The nays were:

Senator Reiniger—1.

Absent or not voting:

Senators Cassatt, Mattoon, Weidman—3.

Senator Mosnat moved to amend the title by striking out the figures "1034" and insert "599."

Carried.

Senator Woolson moved to amend the title by striking out the words "of 1873."

Adopted.

So the bill passed and the title, as amended, was agreed to.

HOUSE MESSAGES.

Senator Meservey moved to take up House messages.

Carried.

House file No. 37, a bill for an act to amend chapter 28, of the acts of the Twenty-second General Assembly, giving authority for the making of rates for the transportation of freight and cars over two or more lines of railroads within this State, and enlarging the powers and further defining the duties of the Board of Railroad Commissioners.

Read first and second times and made a special order for 10 o'clock Friday morning.

INTRODUCTION OF BILLS.

By Senator Caldwell, Senate file No. 390, a bill for an act to regulate bequests and gifts to civil and political corporations for school and benevolent purposes.

Read first and second times and referred to the Committee on Judiciary.

By Senator Clyde, Senate file No. 391, a bill for an act to legalize the acts of township and county canvassing boards in reference to additional justices of the peace, and additional constables, and the official acts of officers acting in pursuance of the results declared by said canvassing boards.

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 Senate file No. 202, a bill for an act to repeal subdivision 5, section 3, chapter 134, 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 the bill be amended by striking out all after the enacting clause, and substituting therefor the following:

SECTION 1. That the fifth subdivision of section 3, of chapter 134, laws of the Twenty-first General Assembly, is hereby amended so as to read as follows: The fifth district shall consist of the counties of Dallas, Guthrie, Adair, Madison, Warren and Marion, and shall have two judges.

SECTION 2. This act shall not be construed to apply to the present district judges of said fifth district, who shall hold their offices until their present terms of office have expired.

SECTION 3. On or before the first day of October, A. D. 1890, the present district judges within said fifth district shall meet and determine the times and places of holding the district court within said district for the year 1891, and said new schedule or plan of terms shall be certified by said judges to the Secretary of State, and shall take the place for 1891 of the schedule heretofore agreed upon for 1891 within said district. And in case said new schedule shall assign for any county within said district, terms of said court to commence at different dates from the dates as stated in the schedule now in force for said year in said county, no notice, writ, process or proceeding which, before said new schedule takes effect, may have been given, issued, served or fixed, shall thereby be invalidated, but the same shall be held to apply, as so named therein, to the next succeeding term of said court in said county as fixed in said new schedule.

Also, that the title of said bill be amended by striking out the same and inserting the following: A bill for an act relating to the district court in certain counties, and to the terms thereof, and amending the fifth sub-division of section 3, of chapter 134, of laws of the Twenty-first General Assembly, and that as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Committee substitute for Senate file No. 163:

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. 163, a bill for an act to amend section nine (9), of chapter forty (40) acts of the Nineteenth General Assembly, in relation to the Institution for the Feeble-Minded Children 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 accompanying substitute be adopted in lieu thereof, and when so adopted that the bill do pass.

J. D. McVAY, *Chairman*.

A BILL

FOR AN ACT TO AMEND SECTION NINE, OF CHAPTER FORTY, ACTS OF THE NINETEENTH GENERAL ASSEMBLY, IN RELATION TO THE INSTITUTION FOR FEEBLE-MINDED CHILDREN AT GLENWOOD.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section nine (9), of chapter forty (40), of the acts of the Nineteenth General Assembly, be, and the same is hereby amended by striking out the word eleven (11), in the twelfth line of said section and inserting the words, "twenty-two" in lieu thereof.

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.

The journal of yesterday was corrected and approved.

Senator Cleveland moved to adjourn until to-morrow at 9 o'clock A. M.
Carried and the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, March 28, 1890. }

Senate met in regular session at 9 o'clock A. M.

Lieutenant-Governor Poyneer in the chair.

Prayer by Rev. W. J. Young, pastor 6th Presbyterian church of Des Moines.

Senator Engle was granted leave of absence indefinitely.

Senator Dodge was granted leave of absence until 3 P. M. of next Monday.

PETITIONS AND MEMORIALS.

Senator McVay presented petition of Chas. H. Wise and 83 other citizens of Calhoun and Webster counties, asking for a change in the exemption laws.

Referred to Committee on Judiciary.

Senator McVay presented petition of F. M. Feathers and A. G. Miller and 73 other citizens of Calhoun county, asking for State uniformity of school text-books.

Referred to Committee on Schools.

Senator McVay presented petition of F. M. Feathers and 17 other citizens of Calhoun county, asking for establishment of joint rates.

Referred to Committee on Railways.

Senator Mosnat presented petition of John Weaver and others, asking that the prohibitory law be repealed and a license law enacted in lieu thereof.

Referred to Committee on Suppression of Intemperance.

Senator Vale presented petition of Perry King and 21 others of Jefferson county, asking for a change in the exemption law.

Referred to Committee on Judiciary.

Senator Brower presented petition of citizens of Hancock county, asking for relief from text-book monopoly and that books be not changed oftener than once in five years, and favoring the optional district plan of uniformity in school books.

Referred to Committee on Schools.

Senator Funk presented petition of W. W. Claypool and 26 other citizens of Clay county, asking school book legislation.

Referred to Committee on Schools.

Senator Shields presented petition of Rev. John Cook and Mrs. Elizabeth Cook and 28 other citizens, asking that there be no repeal of the prohibitory liquor law.

Referred to Committee on Suppression of Intemperance.

Senator Shields presented petition of Hyde Clark Post, No. 78, G. A. R., against the erection of a soldiers' monument and asking that the money necessary for the same be devoted to the building of a hospital at Soldiers' Home at Marshalltown.

Referred to Committee on Appropriations.

Senator Shields presented petition of citizens of Iowa township, Dubuque county, Iowa, asking for joint rates on railroads.

Referred to Committee on Railways.

Senator Shields presented petition of Austin McNally and 23 other citizens of Dubuque county, asking for a change in the exemption law.

Referred to Committee on Judiciary.

Senator Lawrence presented petition of M. P. Stevens and 33 others of Woodbury county, asking a law to make it the duty of railroad commissioners to establish joint rates.

Referred to Committee on Railways.

Senator Lawrence presented petition of O. M. Robins, and W. F. Copenhagen and 34 other citizens of Woodbury county, asking for school book legislation.

Referred to Committee on Schools.

Senator Davidson presented petition of L. B. Thomas and 14 other business men of Angus, asking for the passage of a bill amending section 4299, chapter 2, title 18, of the Code, relating to change in exemption laws.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Funk, Senate file No. 392, a bill for an act to amend chapter 134, laws of the 21st General Assembly, in relation to fourteenth and sixteenth judicial districts.

Read first and second times and referred to the Committee on Congressional and Judicial Districts.

By Senator Taylor, Senate file No. 393, a bill for an act legalizing the electric light plant in the town of Bloomfield, Iowa, and the ordinances authorizing its establishment, and contracting for electric light for the streets of said town.

Read first and second times and referred to the Committee on Judiciary.

By Senator Stewart, by request, Senate file No. 394, a bill for an act legalizing the electric light plant in the town of Montezuma, Iowa, and the ordinances authorizing its establishment and contracting for electric light for the streets of said town.

Read first and second times and referred to the Committee on Judiciary.

By Senator Stewart, by request, Senate file No. 395, a bill for an act to legalize the incorporation of the Deep River Farmers' Alliance Stock Company, at Deep River, Poweshiek county, Iowa, the election of its officers, and all acts done by it.

Read first and second times and referred to the Committee on Judiciary.

Judiciary Committee introduced Senate file No. 396, a bill for an act relating to the salary of the Attorney-General.

Read first and second times.

Senator Price moved to refer the bill to the Committee on Compensation of Public Officers.

Carried.

On motion of Senator Harsh, his resolution, introduced March 15th, relative to continuing the time of the special committee appointed to investigate trusts for thirty days, was taken up for consideration.

The question being on the adoption of the resolution, it was lost.

Senator Dungan offered the following concurrent resolution:

WHEREAS, The Railroad Commissioners, in their report for the year ending June 30, 1889, pages 37 to 45, inclusive, a printed copy of which has been furnished each member of the Twenty-third General Assembly, have called the especial attention of said General Assembly to the "conflicting and disputed provisions of the laws," and in each of the cases enumerated have recommended such changes in and additions to the present laws as in their judgment is necessary to secure to the people the best results from the laws now upon our statute books; and,

WHEREAS, The subjects to which attention is called are fully and specifically set forth in said report, and the recommendations are evidently made by the commissioners after a careful observation of the workings of existing laws, and

WHEREAS, The commissioners, devoting as they do, their entire time to the study of the questions involved, are in a position to form an accurate opinion of the legislation most needed, and

WHEREAS, An examination of the subjects heretofore referred to shows them to be among the most important in their line that can engage the attention of this General Assembly; therefore, be it

Resolved, By the Senate, the House concurring, that the railroad committees are hereby directed to take said subjects into immediate consideration, and report to their respective houses not later than Wednesday, April 2, 1890, or as soon there-

after as practicable, bills embodying the recommendations of the Board of Railroad Commissioners. if, in their judgment, they deem such proposed legislation advisable and desirable.

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 and joint resolution, in which the concurrence of the Senate is asked:

House file No. 25, a bill for an act to require all railroads, corporations, companies and persons, operating a railroad and doing business in Iowa, to equip all their engines and cars with proper, efficient and safe automatic couplers and brakes, and prescribing penalties for failure thereof.

Joint Resolution No. 8, relative to protecting the lives of miners in the territories of the United States.

Also, that the House has passed the following Senate bills:

Senate file No. 223, a bill for an act to provide for temporarily filling vacancy in the office of county recorder.

S. F. No. 10, a bill for an act to repeal sections 1, 2, 3 and 4 of chapter 12 of the acts of the 18th General Assembly, relative to the management of the permanent school fund, and to enact substitute therefor.

Also, I herewith present for your signature the following joint resolution and bills which have passed both branches of this General Assembly, been duly enrolled and signed by the Speaker of the House:

Joint Resolution No. 2.

S. F. Nos. 105, 260, 330, 381 and 388.

H. S. WILCOX, *Chief Clerk.*

INTRODUCTION OF BILLS.

Committee on Ways and Means, Senate file No. 397, a bill for an act to provide for the establishment of a State board of control of State institutions, defining its powers and duties and to abolish boards of trustees and commissioners of certain State institutions.

Read first and second times, and on motion of Senator Parrott, was made a special order for next Wednesday at 10:30 A. M.

By Senator Kent, Senate file No. 398, 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.

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA, }
EXECUTIVE OFFICE, DES MOINES, March 27, 1890. }

MR. PRESIDENT—I am directed by the Governor to inform you that he has approved, signed, and deposited in the office of the Secretary of State:

Senate file No. 192, an act to amend chapter 167, laws of the Nineteenth General Assembly, in relation to State certificates and diplomas to teachers.

FRED'K W. HOSSFELD, *Private Secretary*.

The Governor's Private Secretary also presented to the Senate a sealed communication.

Senator Finn moved that Senate file No. 2, 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 the report of a majority of the committee recommending substitute and when adopted it do pass, be made a special order for next Wednesday at 2 o'clock P. M.

Senator Meservey moved to amend by striking out the word "Wednesday" and inserting "Friday."

Pending which, the hour having arrived for consideration of the special order, it being House file No. 37, a bill for an act to amend chapter 28 of the acts of the Twenty-second General Assembly, giving authority for the making of rates for the transportation of freight and cars over two or more lines of railroad within this State, and enlarging the powers and further defining the duties of the Board of Railroad Commissioners, and Senate file No. 196, a bill for an act to amend chapter 28, of the acts of the Twenty-second General Assembly, giving authority for the making of rates for the transportation of freight and cars over two or more lines of railroad within the State and enlarging the powers and further defining the duties of the Board of Railroad Commissioners, with the report of the committee recommending amendments, and that it do pass, was taken up, and on motion of Senator Woolson, deferred until the motion of Senator Finn and amendments offered are disposed of.

The question being on the adoption of the amendment offered by Senator Meservey, on this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Barnett, Bayless, Bills, Bolter, Cleveland, Davidson, Dodge, Gatch, Gobble, Groneweg, Harsh, Kent, Lawrence, Mack, McCoy, McVay, Meservey, Mosnat, Perkins, Rich, Schmidt, Shields, Smith of Linn, Stewart, Vale, Wolfe—27.

The nays were:

Senators Bailey, Barrett, Brower, Caldwell, Clyde, Dungan, Finn,

Funk, Hanchett, Kelly, Mills, Parrott, Price, Reiniger, Seeds, Smith of Wright, Taylor, Woolson—18.

Absent or not voting:

Senators Cassatt, Engle, Kegler, Mattoon, Weidman—5.

So the amendment was adopted.

The question now being on the adoption of the original motion as amended, it was adopted.

The hour having arrived for consideration of the special order, it being Senate file No. 313, a bill for an act to amend section one (1), chapter 137, laws of the Twenty-second General Assembly, relative to registered pharmacists, with the report of the committee recommending that it do pass, was taken up and considered and on motion of Senator Bayless was made a special order to follow consideration of special order, which was Senate file No. 196, a bill for an act to amend chapter 28 of the acts of the Twenty-second General Assembly, giving authority for the making of rates for transportation of freight and cars over two or more lines of railroad within the State, and enlarging the powers and further defining the duties of the Board of Railroad Commissioners, and House file No. 37, a bill for an act to amend chapter 28 of the acts of the Twenty-second General Assembly, giving authority for the making of rates for the transportation of freight and cars over two or more lines of railroad within the State, and enlarging the powers and further defining the duties of the Board of Railroad Commissioners.

By a suspension of the special order, Senator McCoy filed the following:

I move a reconsideration of the vote by which the rule was suspended and substitute for Senate file 7 was put upon its passage and the vote by which the same was passed.

Which was immediately taken up and the motions adopted, and the bill considered.

Senator McCoy moved to amend section 2, by adding to the end of section 2, the words "said successors shall be elected in the year 1892, and each even numbered year thereafter."

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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Caldwell, Cleveland, Clyde, Davidson, Dungan, Funk, Gatch, Gobble,

Groneweg, Hanchett, Harsh, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, Meservey, Mills, Mosnat, Parrott, Perkins, Rich, Schmidt, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale—36.

The nays were—none.

Absent or not voting:

Senators Bolter, Brower, Cassatt, Dodge, Engle, Finn, Kegler, McVay, Price, Reiniger, Seeds, Weidman, Wolfe and Woolson—14.

So the bill passed and the title was agreed to.

The hour having arrived for consideration of the second special order, it being Senate file No. 38, a bill for an act to provide for the listing and assessment for taxation of the capital stock of banks organized under the laws of this State, with the report of the committee recommending a substitute, and when adopted it do pass, was taken up and considered, and on motion of Senator Meservey was postponed until 10 o'clock A. M., to-morrow, at which hour it was made a special order.

The Senate then took up for consideration the special order, on motion of Senator Meservey:

House file No. 37, a bill for an act to amend chapter 28 of the acts of the Twenty-second General Assembly, giving authority for the making of rates for the transportation of freight and cars over two or more lines of railroad within this State, and enlarging the powers and further defining the duties of the Board of Railroad Commissioners, was first discussed.

Senator Meservey moved that further consideration of this bill be postponed until 9:30 o'clock A. M., to-morrow, at which hour it be made a special order.

Carried.

On motion of Senator Harsh, it was ordered that petitions asking change in the exemption laws be recalled from the Committee on Labor and referred to the Committee on Judiciary, where bills are pending.

The journal of yesterday was 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:

H. F. No. 39, a bill for an act to legalize the acts of the clerk of the district and circuit courts of Plymouth county, in entering judgment on confession in said courts.

H. F. No. 75, a bill for an act making further provision with respect to contracts by cities organized under special charters, for paving and curbing streets and the construction of sewers, and the making and collection by such cities of assessments and the issuance of bonds or certificates by such cities to pay for such improvements.

House file No. 304, a bill for an act to legalize the acts of L. L. Langworthy, justice of the peace, in Massena township, Cass county, Iowa.

House file No. 386, a bill for an act to legalize the incorporation of the Cerro Gordo County Agricultural Society and the acts and proceedings thereof, and to provide for and authorize the recording of a copy of the articles of incorporation of said society with the recorder of Cerro Gordo county, and the filing of said copy in the office of the Secretary of State.

House file No. 436, a bill for an act to appropriate a certain sum of money to pay the expenses of joint committee appointed to investigate certain charges against the State University of Iowa.

House file No. 417, a bill for an act to appropriate \$440.70, to defray the expenses of certain members of the Twenty-second General Assembly, appointed by the Governor to attend the "beef and pork combine" convention at St. Louis.

H. S. WILCOX, *Chief Clerk.*

HOUSE MESSAGES.

By unanimous consent House messages were taken up for consideration.

Joint resolution and memorial, relating to protecting the lives of miners in the Territories of the United States.

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

House file No. 25, a bill for an act requiring all railroads, corporations, companies and persons operating a railroad and doing business in Iowa, to equip all their engines and cars with proper, efficient and safe automatic couplers and brakes, for prescribing penalties for failure thereof.

Read first and second times and referred to the Committee on Railways.

House file No. 436, a bill for an act to appropriate a certain sum of money to pay the expenses of the joint committee appointed to investigate certain charges against the State University.

Read first and second times and referred to the Committee on Appropriations.

House file No. 39, a bill for an act to legalize the acts of the clerks of the district and circuit courts of Plymouth county in entering judgments on confession in said courts.

Read first and second times and referred to the Committee on Judiciary.

House file No. 304, a bill for an act to legalize the acts of L. L.

Langworthy, justice of the peace in and for Massena township, Cass county, Iowa.

Read first and second times and referred to the Committee on Judiciary.

House file No. 386, a bill for an act to legalize the incorporation of the Cerro Gordo County Agricultural Society and the acts and proceedings thereof and to provide for and authorize the recording of a copy of the articles of incorporation of said society in the office of the recorder of Cerro Gordo county and the filing of said copy in the office of the Secretary of State.

Read first and second times and referred to the Committee on Judiciary.

House file No. 75, a bill for an act making further provision with respect to contracts by cities organized under special charters for paving and curbing streets, and the construction of sewers, and the making and collection by such cities of assessments and the issuance of bonds or certificates by such cities to pay for such improvements.

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

House file No. 417, a bill for an act appropriating \$440.70 to defray the expenses of certain members of the Twenty-second General Assembly, appointed by the Governor to attend the "Beef and Pork Combine" convention at St. Louis.

Read first and second times and referred to the Committee on Appropriations.

The President laid before the Senate a communication from the Auditor of State, relative to certain bonds in connection with the permanent school fund.

Read and referred to the Committee on Judiciary.

The Senate went into executive session.

REPORTS OF STANDING COMMITTEES.

Senator Parrott, 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. 77, a bill for an act to provide for the establishment of a board of supervision of State institutions and officers, 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 the substitute do pass.

MATT PARROTT, *Chairman.*

Made a special order for next Wednesday at 10:30 A. M.

Senator Davidson, 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 105, a bill for an act to amend section seventeen, chapter ninety-four, laws of the Nineteenth General Assembly.

Also, Senate file 381, a bill for an act conferring additional powers upon certain cities of the first class in respect to assessors.

Also, Senate file No. 260, a bill for an act to repeal section 1, chapter ten of the laws of the 22d General Assembly, and to enact a substitute therefor.

Also, Senate file No. 330, a bill for an act to legalize the acts of the independent school district of Fremont, Mahaska county, Iowa, relating to voting bonds for the purpose of building a school house.

Also, Joint Resolution No. 2, relative to placing jute and sisal grass upon the free list.

Also, Senate file No. 380, a bill for an act to grant cities under special charters the power to fix the compensation of their mayors, and to legalize compensation heretofore paid to the mayors of such cities, and find the same correctly enrolled.

D. B. DAVIDSON, *Chairman*.

Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred the resolution of Senator Brower, with reference to reducing the number of district judges, beg leave to report that the committee caused to be sent to each district judge and each judge of the superior court, within this State, the following circular letter:

ROOMS OF JUDICIARY COMMITTEE, SENATE CHAMBER, }
DES MOINES, March, 7, 1890. }

DEAR SIR—Upon March 4th the Senate adopted the following resolution, introduced by Senator Brower of Hancock county:

WHEREAS, It appears that owing to the general reduction of business before the district courts of the State, as appears by the reports of the judges of the same to the Governor; and,

WHEREAS, The incomes of all classes of our tax-payers are greatly reduced, and we should lighten the burdens thereof whenever we can,

Be it resolved by the Senate, That the Committee on Judiciary is hereby instructed to reorganize the court system of the State and report a bill reducing it one third, or such other number as may be deemed advisable.

The biennial message of Governor Larrabee contains the following:

"*District Judges*—Court business has decreased to such an extent that the number of district judges might be reduced from forty-four to forty, without detriment to the administration of justice."

There is manifestly a conviction in the public mind that some reduction in court expenses is possible and must be made. And the direction which the matter is now taking appears to be that of reducing the number of district judges. In some portions of the State no reduction seems possible without crippling seriously the efficiency of the courts and doing injustice to those having cases pending.

Will you kindly *and immediately*, advise me fully as to your views in the matter? In your judgment, is a reorganization of districts possible, with a view to increased efficiency of our courts? And what, if any, change in present court system, or what reduction in number of judges do you regard possible, which will assist in reducing court expenses, without lessening the efficiency of our courts or preventing speedy hearing of cases pending therein?

An immediate answer is requested, as the session has so far advanced that whatever action is taken must speedily be had. And we desire all the information obtainable before we act in the matter.

By order of the Judiciary Committee.

JNO. S. WOOLSON, *Chairman*.

P. S.—Will you kindly furnish me, for the use of the committee, a statement of the amount of time (number of days) you were actually engaged in holding court during the last court year, and what time you were actually engaged in vacation or between terms in determining and deciding equity causes, and during what, if any, time other than that above given, you were actually occupied with judicial duties, and what was their nature? Will you please forward your answer to the above letter, without delaying to obtain the data requested in this postscript. As soon as you are conveniently able, send me the information requested in the postscript.

WOOLSON, *Chairman*.

A like circular letter was sent very generally into the different judicial districts by the chairman and other members of the committee, and by many of the Senators, who kindly assisted in the attempt to procure all the reliable information obtainable with reference to this subject.

A large number of letters have been received, and nearly all the judges have responded to the inquiries obtained in the circular letter sent them.

Your committee has attempted a consideration of the contents of these letters, and in connection therewith have also considered a tabular statement showing the number of days of court, in the several districts, in which the official short-hand reporters have been actually employed. The answers of the judges show that the number of days of court actually held somewhat exceeds the number for which the short hand reporters were paid.

Your committee further finds that the time actually occupied by the judges, in hearing matters at chambers and in determining and deciding equity causes submitted during term time, adds largely to the number of days occupied by them in holding court.

Your committee recognizes the desirability of reducing the number of judges wherever such reduction can be made without seriously impairing the efficiency of our judiciary, and working injustice to parties submitting their controversies to judicial determination. And they have reported a bill diminishing the number of judges to be elected in the Fifth Judicial District from three, the present number, to two.

After mature consideration of the resolution and all the facts which have come to their knowledge, your Committee would report as their unanimous judgment, that it is inexpedient and not advisable to attempt at this time a further reduction in the number of district judges, in the districts of the State as now constituted.

Respectfully submitted,

JNO. S. WOOLSON, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 326, a bill for an act to legalize the proceedings of the board of supervisors of Johnson county, Iowa, in locating and causing to be constructed a ditch in Fremont township, in said county, known as the Alcock ditch, and to provide for an assessment and levy of the costs and expenses thereof on the lands benefited thereby, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: Amend section 2 by striking from line 19 the word "benefited" and inserting the word "affected" in lieu thereof. Amend by inserting as section 3 the following:

"Section 3. In making the reapportionment and reassessment provided for in this act, any land that has actually been sold and conveyed between June 28, 1887 and March 18, 1890, shall not be reassessed; but the failure to reassess any such land shall not operate to increase the assessment on any other land affected by this act, provided that the warrants issued by the county auditor for the construction of said ditch shall be paid *pro rata* from the proceeds of the reapportionment, reassessment, levy and collection herein provided for."

Also, amend the publication section by striking out the words "sec. 3," and inserting the words "sec. 4" in lieu thereof. 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 Senate file No. 327, a bill for an act to legalize the proceedings of the Board of Supervisors of Johnson county, Iowa, in locating and causing to be constructed a ditch in Fremont township in said county, known as the Walker ditch, and to provide for an assessment and levy of the cost and expenses thereof in lands benefited thereby, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: Amend section two (2) by striking from line nineteen the word "benefited" and inserting the word "affected" in lieu thereof. Amend by inserting as section 3 the following:

SECTION 3. In making the re-apportionment and re-assessment provided for in this act, any land that has actually been sold and conveyed between June 28, 1887, and March 18, 1890, shall not be re-assessed, but the failure to re-assess any such land shall not operate to increase the assessment on any other land affected by this act. Provided, that the warrants issued by the county auditor for the construction of said ditch shall be paid *pro rata* from proceeds of the re-apportionment, re-assessment, levy and collection herein provided for.

Also, amend the publication section by striking out the words "sec. 3," and inserting the words "sec. 4" in lieu thereof, 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 Senate file No. 364, a bill for an act to establish a probate court and a judge thereof in each

county, and to place all probate business under his charge, giving right of appeal in contested cases to the district court, and giving to such probate judge all the power relating to probate matters now given to judges of the district court, 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 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. 316 a bill for an act providing for the appointment of judges and clerks of elections, and to repeal sections 606, 607 and 608 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. 258, a bill for an act to legalize the acts of the clerks of the district and circuit courts of Plymouth county, in entering judgments on confession in said 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 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. 346, a bill for an act to amend section 3275, chapter 2, title 20, 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. 331, a bill for an act for the relief of George M. Blattner, W. H. George and J. D. Norris, 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.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 130, a bill for an act to amend sections 2962 and 2965 of the Code of Iowa, relating to attachments, 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. 131, a bill for act to amend section 2117, of the Code of Iowa, relating to assignments for the benefit of creditors, 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.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 320, a bill for an act authorizing the taking of depositions by short hand writers, beg leave to report 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.

JOHN S. WOOLSON, *Chairman*.

Ordered passed on file.

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred S. F. No. 55, for its opinion on the points therewith submitted, would report the same back with the following statement of the conclusions reached by your committee, viz:

First question: Whether the bill. (S. F. 55) as it stands and with the amendment recommended by the Committee on Commerce, in any way conflicts with the inter-state commerce jurisdiction of the national government.

In the opinion of the committee it does not.

Second question: Whether section 906 of the Code, as it now stands, is valid in view of the inter-state commerce jurisdiction of the national government and the decisions of the Supreme Court of the United States.

The doubt properly arises whether it falls within the province of your committee to construe the section as thus requested. But your committee is unanimous in the opinion that said section is not valid.

Third question: Whether a law taxing itinerent peddlers generally would be valid as against citizens of a sister State.

Your committee would respectfully submit that in view of the very general scope of the questions submitted, and the absence of any particulars to which the judgment of the committee is invited they are not able to return a definite answer to this question.

Respectfully submitted,

JNO. S. WOOLSON, *Chairman*.

Senator Parrott, from the Committee on Ways and Means, submitted the following reports:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 84, a bill for an act to provide for the assessment of mortgages or of mortgaged property, and to prevent double assessment, 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 referred to the Committee on Judiciary, who are requested to decide upon the constitutionality of the same.

MATT PARROTT, *Chairman*.

So referred.

MINORITY REPORT OF WAYS AND MEANS COMMITTEE.

A minority of your Committee on Ways and Means beg leave to submit a report on Senate file No. 84, relative to listing mortgages for taxation.

We do not believe the constitutional question should be raised, in view of the fact that such a law is now in force in several states, and on the merits of the bill we desire to report that we are in favor of said measure, and recommend that it do pass.

RICHARD PRICE.
J. H. BARNETT,
D. B. DAVIDSON,
W. D. MILLS.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 263, a bill for an act to prevent fraudulent transfers of property by State and county 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 it be indefinitely postponed.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 253, a bill for an act relating to the assessment of property for the purpose of taxation, amendatory of chapter one (1), title six (6) of the Code, 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.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, respectfully submit the following statement of estimated receipts and disbursements for the period named:

Statement and estimate of receipts and disbursements for first nine months of the fiscal term 1890-2, with estimates for the period of two years, beginning April 1, 1890:

Statement concerning the finances for the first nine months of the fiscal term which began July 1, 1889:

RECEIPTS.

Actual, to March 16, 1890.....	\$ 989,827.86	
Estimated for the remainder of the month, based on those of March 16-31, 1888	71,200.00	
Total for the nine months.....		\$ 1,061,027.86

DISBURSEMENTS.

Actual, from July 1, 1889, to March 16, 1890	\$ 858,089.92	
Estimated for remainder of month on the assumption that the amount of the warrants issued during that time will equal that of the like period in March, 1888.....	29,111.26	\$ 887,201.18
Receipts in excess.....		\$ 173,826 68
Adding balance of July 1, 1889		5,181.67
We have		\$ 179,008.35
With which to meet outstanding warrants, which amounted, March 15, 1890, to.....		\$ 213,264 45
Leaving probable net floating debt, April 1, 1890...		\$ 34,256.10

RECEIPTS.

Estimates for two years, beginning April 1, 1890.

The receipts for the period from April 1, 1890, to April 1, 1892, may be estimated as follows:

From taxes.....	\$ 2,204,000.00
From interest on same.	29,000.00
From taxes on insurance companies.....	150,000.00
From taxes on telegraph companies	29,000.00
From taxes on telephone companies	16,000.00
From fees.....	71,000.00
From peddlers' licenses	2,100.00
From counties for care of insane	550,000.00
From counties for care of orphans	70,000.00
From counties for clothing feeble-minded	12,000.00
From counties for clothing deaf and dumb	2,100.00
From counties for clothing blind	2,000.00
From United States for soldiers' home.....	40,000.00
From sale of laws.	1,000.00
From penitentiary	12,000.00
From miscellaneous sources	7,000.00
Total.....	\$ 3,197,200.00

EXPENDITURES.

And the ordinary expenditures such as are already provided for by law including estimates for support of state institutions and expenses of general assembly\$ 2,363,500.00

To which should be added estimates as follows:

Additional pay of executive council.....	\$ 4,000.00
Governor's house rent.....	1,200.00
Governor's contingent funds.....	12,000.00
Auditor's clerk hire.	12,000.00
Treasurer's clerk hire.....	3,000.00
Superintendent Public Instruction, clerk hire.....	4,000.00
Clerk Supreme Court.....	3,000.00
Contingent fund for Supreme Court.....	4,000.00
Commissioner Labor Statistics, clerk hire ...	1,000.00
Mine Inspectors' expenses	2,000.00
Janitors ...	22,000.00
Providential contingencies	10,000.00
Adjutant-general's clerk hire.....	2,000.00
Railroad Commissioners' expenses.....	18,000.00
Secretary State, clerk hire.....	9,000.00
To which should also be added about one half of the amount of special appropriations which may yet be drawn, made by former General Assemblies, \$29,240.19.....	15,000.00

Total\$ 2,485,700.00

Excess of receipts over expenditures... 711,500.00

SURPLUS.

From which is to be deducted net floating debt, April 1, 1890, estimated at \$35,000; and interest to be paid, during term, about \$10,000.....	\$ 45,000.00
Leaving a net surplus for the period, of.....	\$ 666,500.00

WHEN THE SURPLUS WILL BECOME AVAILABLE.

This surplus will become available as follows:

SECOND QUARTER OF 1890.

The receipts of the quarter beginning April 1, 1890, may be estimated from experience at twenty per cent of that for the whole period, the estimate being in this instance increased to make it equal to that proportion of what the revenue would be if a 2½ mill levy were continued throughout the entire term. This percentage would make the receipts \$688,000 for the quarter, but the estimate is put half way between that amount and the actual receipts for the second quarter of 1889, \$651,747. (See Treasurer's report, p. 8).....	\$ 670,000.00
And the disbursements for the same period, including expenses of session, may be put at.....	360,000.00
Excess of receipts	\$ 310,000.00
From which, deducting amount of floating debt April 1	35,000.00
There will be a surplus for use before July 1, 1890, available to meet special appropriations of this and former general assemblies, to pay interest on warrants of	275,000.00

LAST HALF OF 1890.

During the last six months of the year 1890, the receipts will approximately be	636,000.00
And the ordinary expenditures.....	590,000.00
Receipts in excess	\$ 46,000.00
Total surplus available in the year 1890	321,000.00

THE YEAR 1891.

The receipts during the calendar year 1891, on the basis of a two-mill levy, may be put at.....	\$ 1,500,000.00
And the ordinary expenditures at.....	1,185,000.00
Receipts in excess.....	\$ 315,000.00

ESTIMATE OF EXPENDITURES, HOW MADE.

The estimate of expenditures for the biennial period, beginning April 1, 1890, herein made, is the same as that of the Auditor of State for the current *fiscal* term, with the following exceptions:

ADDITIONS.

Salary of Fish Commissioner	\$	2,400
Expenses of Fish Commissioner		2,600
Superintendent of Public Instruction, traveling expenses		500
Experimentation at Agricultural College		3,000
Repairs at Agricultural College		4,000
Salary of Financial Agent of Agricultural College		4,000
Salary of Dairy Commissioner		3,000
Pharmacy Enforcement		2,500
Total	\$	22,000

DEDUCTIONS.

Support of feeble-minded children (this is estimated by the Auditor at \$25,000 more than during the previous term; but the expense thus far during the current fiscal term shows a reduction of about 5 per cent. This falling off holding out, the expenditures would fall \$30,000 short of the Auditor's estimate. It is here estimated at \$20,000 short)	\$	20,000.00
Printing and binding		20,000.00
Miscellaneous expenditures. (The outlay to the present time during the fiscal term would justify a cut of \$10,000)		5,000.00
Mine inspectors' expenses		1,000.00
Salaries at normal schools. (These have always been paid by special appropriations)		27,000.00
Total	\$	73,000.00

MATT PARROTT, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 261, a bill for an act to amend sections 674 and 3077, and to repeal section 678 of the Code of Iowa, 1873, relating to official bonds and 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 it be indefinitely postponed.

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 Senate file No. 23, a bill for an act to establish an industrial house for adult 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 with the recommendation that in the event the General Assembly determines on the establishment of an industrial home for the blind, that the Appropriation Committee recommend the sum of forty thousand dollars for such establishment and support.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Senator Vale, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 275, a bill for an act to encourage the manufacture of binding twine in Iowa, from flax straw or other materials grown or produced 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 bill be amended as follows, viz.: insert the word "field" after the word "actual" in the fifth line of printed bill, sec. 1; also, insert after the figures "10,000," in sec. 2, the following: "or so much thereof as may be necessary." And when so amended that the bill do pass.

B. R. VALE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 269, a bill for an act to amend section 4 and to repeal section 5, as amended by chapter 42, acts of the 22d 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.

B. R. VALE, *Chairman*.

Ordered passed on file.

Senator Price, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 294, a bill for an act defining the rights of mutual benefit associations and the members 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 said bill be amended by striking out all after the first section thereof, and when so amended, that the bill do pass.

RICHARD PRICE, *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. 152, a bill for an act to amend section 1766 of the Code, as amended by chapter 143, laws of the Seventeenth General Assembly, to provide for additional

public examinations of 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 the substitute do pass.

G. L. FINN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 198, a bill for an act to repeal section 1728 of the Code, and to enact a substitute for same, relating to retrenchment and reform in the purchase of school text-books and supplies, and providing for the free use of the same in the public schools 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 it be indefinitely postponed for the reason that your committee have prepared and reported a substitute for all text-book bills.

G. L. FINN, *Chairman*.

Ordered passed on file.

Senator McVay, from the Committee on Charitable Institutions, submitted the following reports:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate file No. 355, a bill for an act to permit the Independence and Rush Park Railway Company to pass over the ground of the State used for the hospital for the insane at Independence, 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. 221, a bill for an act relating to the State industrial schools and for the reception, disposition and support of the inmates 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 words "or who is afflicted with any contagious, infectious or specific disease" in section one and that sections 3 and 4 be stricken out and that when so amended the bill 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. 311, a bill for an act permitting religious instruction in certain charitable 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 be amended by striking out the word "together" in the third line of section one and insert in lieu thereof the word "to-gather" and add to said section the following: "Such visits shall, however, be

under such restrictions as the trustees of these institutions shall establish," and when so amended that it do pass.

J. D. McVAY, *Chairman*.

Ordered passed on file.

Senator Bailey, from the Committee on Federal Relations, submitted the following reports:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred Joint Resolution No. 8, relating to the protection of the lives of miners in the Territories, beg leave to report 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.

A. K. BAILEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred Joint House Resolution, relating to a deep water harbor at Galveston, beg leave to report 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.

A. K. BAILEY, *Chairman*.

Ordered passed on file.

Senator Lawrence, from the Committee on Elections, submitted the following reports:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate file No. 40, a bill for an act to provide for printing and distributing ballots at the public expense and to regulate voting at State and other 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 indefinitely postponed.

J. S. LAWRENCE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate file No. 45, a bill for an act to provide for printing and distributing ballots at public expense to regulate voting at State and municipal elections and to provide places in which to hold 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 indefinitely postponed.

J. S. LAWRENCE, *Chairman*.

Ordered passed on file.

The President laid before the Senate a communication from the Auditor of State relative to certain bonds in connection with the permanent school fund.

Read and referred to the Committee on Judiciary.

The Senate went into executive session.

After executive session Senator Kelly offered the following:

Resolved, That on and after Monday, March 31st, unless otherwise ordered, the sessions of the Senate shall be from 10 o'clock A. M. to 12 o'clock M. and from 2 to 5 P. M. of each day.

Senator Bayless moved to amend by striking out the words, " five o'clock."

Senator Davidson moved to amend the amendment by striking out the words, " 12 o'clock."

Lost.

The question now being on the adoption of the original amendment it was lost.

The original resolution was then adopted.

On motion of Senator Taylor, the Senate adjourned until 9 o'clock A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, March 29, 1890. }

The Senate met in regular session at 9 o'clock A. M., and was called to order by Secretary Cochrane.

On motion of Senator Mills, Senator Woolson was elected temporary President.

Prayer by Rev. B. F. W. Crozier.

Senators Kent and McVay were excused indefinitely.

PETITIONS AND MEMORIALS.

Senator Wolfe presented petition of W. F. Hanrahan and 11 others of Charlotte, and S. B. Smith and 78 others of Clinton, asking for a change in the exemption laws.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Clyde, Senate file No. 399, a bill for an act to legalize the official acts of N. S. Paull as acting deputy recorder of Worth county, Iowa.

Read first and second times and referred to the Committee on Judiciary.

By Senator Hanchett, Senate file No. 400, a bill for an act to amend section 3, chapter 4, acts of the Sixteenth General Assembly, relating to the appointment of religious adviser and teacher at Anamosa Penitentiary.

Read first and second times and referred to the Committee on Penitentiaries and Pardons.

By Senator Dungan, Senate file No. 401, a bill for an act to amend section 1, chapter 52, acts of the Twenty-second General Assembly relating to the appointment of State mine inspectors.

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

Lieut.-Gov. Poyneer took the chair.

Senator Woolson offered the following concurrent resolution:

Resolved, By the Senate, the House concurring: That a joint committee to consist of two from the Senate and two from the House, be appointed to confer with

the Governor of the State and the committee of arrangements of the Department Encampment, and if found desirable to arrange in connection with the Executive office, for a fitting reception, or review at the Capitol building, of the Grand Army of the Republic for the Department of Iowa, at the close of their parade on April 8th, next.

Adopted.

REPORTS OF STANDING COMMITTEES.

Senator Smith of Linn, 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. 94, a bill for an act to amend sections 239 and 290, of the Code of 1873, as amended by chapter 91, laws of the Twenty second General Assembly of the State of Iowa, 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 the Senate with the recommendation that it do pass.

J. H. SMITH, *Chairman*.

Ordered passed on file.

On motion of Senator Smith of Linn, House file No. 94, a bill for an act to amend sections 289 and 290, of the Code of 1873, as amended by chapter 91, laws of the Twenty-second General Assembly of the State of Iowa, relating to the bonding of county indebtedness, with report of committee recommending that it do pass, was taken up and considered.

Senator Smith of Linn, 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Brower, Caldwell, Cleveland, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Lawrence, Mack, Mattoon, Meservey, Mills, Mosnat, Parrott, Perkins, Schmidt, Smith of Linn, Stewart, Taylor, Vale—33.

The nays were—none.

Absent or not voting:

Senators Bills, Bolter, Cassatt, Dodge, Engle, Kent, McCoy, McVay, Price, Reiniger, Rich, Seeds, Shields, Smith of Wright, Weidman, Wolfe, Woolson—17.

So the bill passed and the title was agreed to.

Senator Smith of Wright stated that if he had been present he would have voted yea on the passage of this bill.

Senator Smith of Linn, 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. 141, a bill for an act authorizing cities to deepen, widen, straighten, wall up, cover, alter, change, or divert from its natural channel, and to conduct the same in artificial channels or into or through covered drains or sewers to be constructed for the purpose, any water course within the corporate limits of said cities, and to provide the manner in which the same shall be done, and to authorize the levy and collection of a special tax and the levy of special assessments to defray the cost and expense thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the substitute hereto attached be adopted in lieu thereof, and when so adopted, the bill do pass.

J. H. SMITH, *Chairman.*

A BILL

FOR AN ACT AUTHORIZING CITIES TO DEEPEN, WIDEN, STRAIGHTEN, WALL-UP, COVER, FILL, ALTER, CHANGE OR DIVERT FROM ITS NATURAL CHANNEL, AND TO CONDUCT THE SAME IN ARTIFICIAL CHANNELS OR INTO OR THROUGH COVERED DRAINS OR SEWERS, TO BE CONSTRUCTED FOR THE PURPOSE, ANY WATER COURSE OR ANY PART THEREOF, WITHIN THE CORPORATE LIMITS OF SAID CITIES, AND TO PROVIDE THE MANNER IN WHICH THE SAME SHALL BE DONE, AND TO AUTHORIZE THE LEVY AND COLLECTION OF SPECIAL TAX AND THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS TO DEFRAY THE COST AND EXPENSES THEREOF.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That any city of the first class, of the State of Iowa, organized as such under the general corporation laws since the 1st day of January, A. D. 1885, shall have power to deepen, widen, straighten, wall up, fill up, cover, alter or change the channel of any water course, or any part thereof, flowing through the corporate limits of said city. Also to build and construct artificial channels, covered drains or sewers sufficient to carry the water theretofore flowing in any such water course, and to divert any such water course from its natural bed, channel or course, and to conduct the same into or through any such artificial channel, covered drain or sewer so constructed, and to fill up the channel of any such water course, the waters of which have been so diverted and changed.

SEC. 2. When any such city shall desire to avail itself of the powers hereinbefore granted, and the city council shall determine by resolution or otherwise to exercise any of such powers, they shall direct the city engineer to make the proper plans and specifications for the doing of such work and to prepare an estimate of the cost thereof.

SEC. 3. If said council on further examination and consideration of said plans and specifications, and of the expenses necessary to be incurred therein, shall still deem it advisable that any such work be done as proposed and contemplated, they shall call a special election in said city to determine whether said work shall be done, and also the question of raising or levying a special tax in addition to all other taxes now provided for by law for the purpose of paying the expenses thereof.

Provided if the city council shall determine that the estimated cost of said work is greater than should be levied or collected in a single year, they may determine what proportion of the same shall be levied and collected each year and during what years the same shall be levied and collected. And the city council shall provide by ordinance or resolution the manner in which the voting of said special tax shall be submitted to the electors of said city.

SEC. 4. If, at such election, the majority of the votes cast shall be in favor of doing said work, and in favor of levying of said special tax the city council shall order the city engineer to make a survey of said stream or any portion thereof, so proposed to be widened, deepened, straightened, walled up, filled up, altered, changed or diverted, as the case may be; said plat or survey to show the condition, position, location, boundaries and course of said stream at the time of platting of said town site, as near as possible, and also its present condition, location, and course, and any changes that have occurred in the natural course of the stream since the platting of said town site, and said plat shall also show all the lots or tracts of land by their platted or legal description abutting on said original or present channels; also the names of all owners of said lots and lands so abutting on said stream, and the city engineer shall file said plat in the office of the city clerk and shall keep and retain a duplicate thereof in his office.

SEC. 5. After said survey is made and filed, the city council shall appoint five commissioners, who shall be resident freeholders of said city, and not interested in any property abutting on said stream, so intended to be widened, changed, altered, walled up filled up, straightened or diverted, who shall be sworn to faithfully and impartially perform the duties herein, or that may be required of them either by this act or any ordinance passed in pursuance hereof. The said commissioners so appointed shall have authority to proceed and determine what lot or lots, or lands abutting on said stream will be benefited or damaged, if any, by the doing of said work, and the amount of such benefit or damages, if any, as the case may be, which will accrue to or be sustained by each and every such lot or lots or parts of lots, or parcels of lands and the owners thereof, shall make report, in writing, of their findings and determination. In determining any question as to whether such benefits accrue to, or damages are sustained by such lot or lots or parcels of land, or owners thereof the said commissioners shall consider the amount of land reclaimed or lost, and the expense that will be incurred to the owners of said property, in the doing of said work, and the advantages, if any, accruing from the removal of the easement of said water course, and any other matter that said commissioners may deem proper to be considered in determining said question.

Provided, That no damages shall be awarded for the cost of the filling of said channel.

Said commissioners shall give notice of the time and place of their meetings to determine what lot or lots and lands are so benefitted or damaged, as the case may be, by publication thereof, at least five days successively, prior thereto, in some newspaper in general circulation in said city, and for the purpose of enabling them to determine the same, may take evidence and listen to and receive any statement which any owner of property may see fit to make in reference thereto. After said commissioners shall so make their finding and determination to the city council, the said city council may approve, reject or modify the same.

Provided, That notice of the hearing before the said city council of said report of said commissioners shall be given by publication in a newspaper of general circulation in said city for five successive days, which last publication shall be ten days

before such hearing. And if after said council shall hear said matter, they shall conclude to reject said report, they shall resubmit the matter of the determination of said benefits and damages to new commissioners, who shall proceed in the same manner as said original commissioners. If said city council shall approve or modify said finding of said commissioners they shall assess the amount of said benefits so found and determined against said abutting lot or lots or lands, and the said channel so to be filled up or reclaimed. Any person aggrieved by the action of the city council in making said assessments, shall have the right of appeal to the district court of the county in which said city is located, provided said appeal is taken within twenty days from said assessment, and shall also have the right to review said action of the city council in said district court, in the manner now provided by law.

SEC. 6. If such stream or any part thereof is proposed to be diverted from its course, and conducted through another or different channel, or through any covered drain or sewer, the city council shall have power to order said stream or any part thereof, thus abandoned, as a water course, to be filled up and if the same or any part thereof is not filled up by the owner or owners of said stream within such time as the city may by ordinance or resolution provide, the city council may proceed to let the filling of such stream or any part thereof by contract, and the city council shall have power to assess the cost of filling up the remainder of the channel of said stream against said property abutting on said stream including that reclaimed therefrom, and against the owners thereof, in proportion to the number of cubic yards of fill required and made upon, against and in front of each of said lots or tracts, and the council shall provide by ordinance or resolution, the manner of ascertainment of said cost and ascertaining and making said assessments the notice to be given to said owners of the time and place of making the same. And said city may provide by ordinance when said special assessments for benefits and for the expense of filling said old channel shall become due and payable, and whether in one payment or in installments and the rate of installments and the rate of interest not exceeding six per cent per annum, said deferred payments shall draw, and may provide for the issue of improvement bonds, to be a lien on said property, and payable from the funds to be derived from said special assessments, all as provided in chapter 20, of the laws of the Twentieth General Assembly of Iowa, and acts amendatory thereof.

SEC. 7. Such special assessments shall not be levied by the city council until said work shall be completed, they shall become delinquent at such time after the levy thereof as the city council may provide, shall constitute a lien against the lots and lands against which they may be assessed from the date of the resolution making the assessment, shall draw interest at a rate not exceeding six per cent per annum, and may be enforced against said lots and lands and the owners thereof in any manner provided by law or the ordinances of said city. The assessments when delinquent may be certified to the county auditor and by him placed on the tax books of the county wherein said city is situated, and the same shall be collected and paid over in the manner provided by law for the collection of State and county taxes, and said city is hereby authorized to become a purchaser at any sale made by the county treasurer for any such delinquent special assessments, and shall be entitled, if the same shall remain unpaid as by law provided, to receive a treasurer's tax deed for said property so sold and thereafter may sell and convey the same in any manner they may deem best and proper.

SEC. 8. That all streets and alleys intersecting said old channel or stream opposite each other, shall be considered as projected from each side thereof and

meeting in the center of said stream in such a manner as to make a continuous street or alley across the same, and if such street or alley is shown upon the present recorded plats as terminating on one side of said stream, the same shall be projected to the center thereof, and the expenses of filling all such streets and alleys shall be borne and paid by the city.

SEC. 9. If the title to the natural bed and banks of any stream or any portion thereof, after the same shall be diverted from its natural course and conducted through another channel or through any covered drain or sewer is in the public, or is in the corporation for the use of the public, then the said city shall have power to fill up the said channel so owned by the public, and pay the expenses thereof, and shall have power to sell and dispose of the same in any manner the city council may deem proper.

SEC. 10. Said cities are also hereby authorized to condemn and appropriate so much private property as shall be necessary to carry into effect any and all of the provisions granted or conferred by this act. When it shall be necessary for any such city to enter upon and condemn private property for any of the purposes herein enumerated, the proceedings to condemn the same and the compensation to be paid therefor shall be determined in the manner provided by sections 476 and 477 of chapter 10, of title 4 of the Code of 1873.

SEC. 11. After the report of the commissioners provided in section 5 hereof to the city council, and the final action thereon by the city council as hereinbefore provided, the city council shall have authority to order said work of constructing said new drain, sewer or channel, or part thereof, to be done as provided, and to levy said special taxes to pay the costs and expenses thereof. They shall have power to authorize different portions of said work to be done in different years successively, and in such case, shall levy only such portion of said special tax each year as that portion of said work ordered done in any one year bears to the whole of said work proposed to be done.

SEC. 12. The cost and expense of doing any of the work authorized by this act (except the cost of filling any old channel, to be assessed against abutting property hereinbefore provided), the compensation to be paid for private property condemned and appropriated therefor; and the damages which any person may sustain by reason thereof, or by reason of the change of said old channel as hereinbefore provided, shall be paid out of special tax hereby authorized to be levied; the levy and collection of special assessments for benefits upon lots and the lands abutting upon said old water course, as hereinbefore specified, and the special assessments, if any, which the city may make against any property adjacent to the street or alley on which said new sewer may be located and also from the proceeds of any sales as herein provided of said portion of said water course from which the water shall have been diverted and the title to which may be vested in the public, or in the corporation for the benefit of the public, and also by appropriations from the general funds of said city available for said purpose.

SEC. 13. In case the new sewer as herein authorized, shall be constructed along any street or alley and shall be allowed by the city to be used as a sanitary or storm water sewer along the line thereof, then and in that case the city council shall have power to assess to the lots or lands adjacent to the line of such sewer, a portion of the cost of such sewer, not exceeding, however, in any event, the sum of two dollars per lineal foot of sewer, and if such assessment is made, the same shall be assessed and levied against adjacent property in the same manner as is now or hereafter may be provided by law, and the ordinances of any such city in which

such sewer is constructed for the construction of sewers and the assessments of the costs thereof.

SEC. 14. Said cities shall have authority in anticipation of the collection of said tax, to borrow money for the purpose of doing said work, and may issue its bonds therefor and shall have authority to provide by ordinance the manner of the issuing of the same, provided that the sums so borrowed by said city shall not exceed in any one year the total amount of said special tax actually levied at the time when any such loan shall be made.

SEC. 15. 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 printed and published in the city of Des Moines, Iowa, said publication to be made without expense to the State.

J. H. SMITH, *Chairman*.

Ordered passed on file.

The hour having arrived for the consideration of the special order, it being House file No. 37, a bill for an act to amend chapter 28, of the acts of the Twenty-second General Assembly, giving authority for the making of rates for the transportation of freight and cars over two or more lines of railroad within this State, and enlarging the powers and further defining the duties of the board of railroad commissioners, it was taken up, and on motion of Senator Lawrence was deferred for fifteen minutes.

On motion of Senator Lawrence, Senate file No. 144, a bill for an act authorizing cities to deepen, widen, straighten, wall up, cover, alter, change, or divert from its natural channel, and to conduct the same in artificial channels or into or through covered drains or sewers to be constructed for the purpose, any water-course within the corporate limits of said cities, and to provide the manner in which the same shall be done, and to authorize the levy and collection of a special tax and the levy of special assessments to defray the cost and expense thereof, with report of committee recommending substitute, and when adopted 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 considered engrossed and 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bolter, Caldwell, Cleveland, Clyde, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kelly, Lawrence, Mack, Mattoon, McCoy, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale—37.

The nays were—none.

Absent or not voting:

Senators Bills, Brower, Cassatt, Davidson, Dodge, Engle, Kegler, Kent, McVay, Rich, Weidman, Wolfe, Woolson—13.

So the bill passed and the title was agreed to.

The time having arrived for the consideration of the special order, it being House file No. 37, a bill for an act to amend chapter 28, of the acts of the Twenty-second General Assembly, giving authority for the making of rates for the transportation of freight and cars over two or more lines of railroad within this State, and enlarging the powers and further defining the duties of the Board of Railroad Commissioners, it was taken up and considered.

Senator Reiniger offered the following substitutes for sections 2, 3, and 4.

SECTION 2. The railroad commissioners are hereby empowered and it is made their duty to establish reasonable maximum rates for the transportation of freight over two or more railways within the State taking into consideration the difference between freight originated and transported by the carrier, first hauling it, and the taking by the road continuing the transportation. No terminal charges shall be allowed the latter. The haul being considered and treated as continuous from starting point to place of destination, and the rates fixed shall not exceed the rate that would apply if the shipments were over one road only for the whole distance computed at the highest rate allowed to either of the roads over which the shipment is made, excepting reasonable charges for transfer, and in the making of such rates and in changing or revising the same, they shall be governed, as near as may be, by all the provisions of chapter 28, of the acts of the Twenty-second General Assembly, and shall take into consideration the average rates charged by said railway companies for shipments within this State for like distances over their respective lines, and rates charged by the railway companies operating such connecting lines for joint Inter-state shipments for like distances. The rates established by the board of railroad commissioners shall go into effect within ten days after the same are promulgated by said board, and from and after that time the schedule of such rates shall be *prima facie* evidence in all of the courts of this State that the joint transportation of freight and cars upon the railroads for which such schedules have been fixed.

SEC. 3. All railway companies in the State shall receive and transport freight and cars over such route or routes as the shipper shall direct. Car load lots shall be transfered without unloading from the cars in which such shipment was first made and less than car load lots shall be transfered into the connecting railway cars without delay. For which service a reasonable compensation shall be allowed in the matter of through billing and transporting freight. Railway companies operating connecting lines shall at all times give the same facilities and accommodations to local or State traffic as they give to Inter-state traffic over their lines of road.

Pending which, the hour having arrived for consideration of the second special order, it being Senate file No. 38, a bill for an act to provide for the listing and assessment for taxation of the capital stock

of banks organized under the laws of this State, with report of the Committee recommending a substitute, and when adopted it do pass, was taken up, and on motion of Senator Meservey, was postponed until 11 o'clock.

The Senate resumed consideration of the special order which had been interrupted by the one just postponed.

The question now recurring on the adoption of the substitute for sections 2, 3 and 4 offered by Senator Reiniger, it was lost.

Senator Gatch moved to amend by inserting after the word "direct" in the fourth line of section 2 the words, "provided, however, that this requirement shall not apply in any case where either of such companies has also a continuous line of its own between the initial and terminal points named in such demand if such company shall consent to carry such shipment, over its said continuous line at the same rate as would be chargeable by such joint rate, and permission so to do is hereby given, provided the shippers consent thereto; the provisions of chapter 28, laws Twenty-second General Assembly to the contrary notwithstanding. •

Senator Kegler offered the following amendment to the amendment:

Provided, however, that the rates to the intermediate points shall not be any higher than the charge for full distance.

Lost.

Pending which, the hour having arrived for the consideration of the special order, it being Senate file No 38, a bill for an act to provide for the listing and assessment for taxation of the capital stock of banks organized under the laws of this State, with report of the Committee recommending a substitute, and when adopted it do pass, it was taken up and considered, and on motion of Senator Meservey, was postponed until 11:45 o'clock A. M.

The Senate resumed consideration of the special order which had been interrupted by the one just postponed.

The question now recurring on the adoption of the amendment offered by Senator Gatch, the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Barrett, Bolter, Caldwell, Gatch, Gobble, Hanchett, Lawrence, Smith of Linn, Wolfe, Woolson—11.

The nays were:

Senators Bailey, Barnett, Bayless, Bills, Brower, Cleveland, Clyde, Davidson, Dungan, Finn, Funk, Groneweg, Harsh, Kegler, Kelly, Mack, Mattoon, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Schmidt, Seeds, Shields, Smith of Wright, Stewart, Taylor, Vale—31.

Absent or not voting:

Senators Cassatt, Dodge, Engle, Kent, McCoy, McVay, Rich, Weidman—8.

So the amendment was lost.

Senator Reiniger moved to amend as follows:

Strike out of section 3, all before the word "it" in the third line of printed bill, and change the word "joint" into maximum at the beginning of fifth line.

On this the yeas and nays were demanded.

The yeas were:

Senators Hanchett, Mills, Reiniger—3.

The nays were:

Senators Bailey, Ballingall, Barnett, Barrett, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Lawrence, Mack, Mattoon, McCoy, Meservey, Mosnat, Parrott, Perkins, Price, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Wolfe, Woolson—39.

Absent or not voting:

Senators Bayless, Cassatt, Dodge, Engle, Kent, McVay, Rich, Weidman—8.

So the amendment was lost.

Senator Woolson offered the following amendment:

Add to section 5: In case any company which has taken payment for the through haul shall become insolvent before settlement, in the usual course of auditing for through hauls, or in case such line taking said payment for said joint haul is in the hands of a receiver, then that part of the charges for said joint haul which under such through rates shall be due to any other company or companies for that part of the haul which lies over such line or lines shall be a lien, in favor of said company or companies, against the assets, as the case may be, in said receiver's hands or assets of said insolvent company, if said company shall thereafter be placed in a receiver's hands, in the same class with the operating expenses of said insolvent road or roads in said receiver's hands.

Pending which, the time having arrived for the consideration of the special order, it being Senate file No. 38, a bill for an act to provide for the listing and assessment for taxation of the capital stock of banks organized under the laws of this State, with the report of the committee recommending substitute, and when adopted it do pass, was taken up and considered, and on motion of Senator Meservy was postponed until the present special order was disposed of.

The Senate resumed consideration of the special order which had been interrupted by the one just disposed of.

The question being on the adoption of the amendment offered by Senator Woolson, on this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barrett, Funk, Gatch, Hanchett, Reiniger, Wolfe, Woolson—8.

The nays were:

Senators Barnett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dungan, Finn, Gobble, Groneweg, Harsh, Kegler, Kelly, Mack, Mattoon, McCoy, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale—33.

Absent or not voting:

Senators Ballingall, Cassatt, Engle, Dodge, Kent, Lawrence, Rich, McVay, Weidman—9.

So the amendment was lost.

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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Lawrence, Mack, Mattoon, McCoy, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Wolfe, Woolson—43.

The nays were:

Senator Hanchett—1.

Absent or not voting:

Senators Cassatt, Dodge, Engle, Kent, McVay, Weidman—6.

So the bill passed and the title was agreed to.

Senator Cleveland submitted the following communication from Senator Dodge:

DES MOINES, IOWA, March 29, 1890.

As I was granted leave of absence until next Monday, and understanding that a vote will be taken on the joint rate bill on to-morrow morning, I desire to say that if I was present when a vote is reached I would vote for the favorable passage of such bill.

W. W. DODGE, *State Senator 9th District.*

Senator Woolson explained his vote as follows:

That the General Assembly has the power to compel joint hauls in the manner proposed in the bill under consideration is not clear in my judgment. But I incline to believe that it possesses this power. The bill, as it now stands, I regard as defective in important particulars. The principle contained in the amendment offered by Senator Gatch I deem necessary to a complete and just joint rate bill, and manifest injustice is done solvent roads by compelling them to jointly haul with insolvent roads, and refusing to them the power to demand prepayment of their share of the joint haul charge and also refusing to secure to them their share of such charges. But these instances, in all probabilities, will not often happen. Impressed with the belief that the general scope of this bill is necessary to the

completion of our present railway law, and desiring that law shall have a full and fair test so that its omissions may be supplied and all proper and needed changes therein speedily obtained, I vote aye, while regretting that the deficiencies I have pointed out have been permitted to exist in the bill.

JOHN S. WOOLSON, *Senator Tenth District.*

On motion of Senator Meservey Senate file No. 196, a bill for an act to amend chapter 28, of the acts of the Twenty-second General Assembly, giving authority for the making of rates for the transportation of freight and cars over two or more lines of railroad within the State and enlarging the powers and further defining the duties of the Board of Railroad Commissioners, with the report of the committee recommending amendments and that it do pass, was taken up and on motion of Senator Meservey 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 bills and concurrent resolution, in which the concurrence of the Senate is asked:

House file No. 263, a bill for an act to permit the Independence and Rush Park Railway Company to pass over the grounds the State used for the Hospital for Insane at Independence.

House file No. 268, a bill for an act to legalize the incorporation of the town of Gilmore City, in Humboldt and Pocahontas counties, Iowa, and a subsequent annexation thereto and the ordinances and the official acts of the town council thereof.

H. F. No. 383, bill for an act to punish fraud, misrepresentation and deception in the sale of fruit, shade or ornamental trees, vines, shrubs, plants, bulbs and rooas, and as to damage therefor.

Concurrent resolution relative to appointing of a committee to investigate ballott machines.

Also, that the House has passed the following Senate bills:

Senate file No. 51, a bill for an act for the protection and preservation of fish and repealing sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of chapter 50, acts of the Fifteenth General Assembly; chapter 70 of the acts of the Sixteenth General Assembly; sections 3, 4, 5, 6, 7 and 8 of chapter 80, acts of the Seventeenth General Assembly; chapter 92, acts of the Eighteenth General Assembly and chapter 9, acts of the Twentieth General Assembly.

S. F. No. 322, a bill for an act to amend section 1, chapter 32, laws of the Eighteenth General Assembly of the State of Iowa.

Also that the House has concurred in concurrent resolution relative to railroad legislation.

H. S. WILCOX, *Chief Clerk.*

The time having arrived for consideration of the special order, it being Senate file No. 313, a bill for an act to amend section one (1), chapter 137, laws of the Twenty-second General Assembly, relative to registered pharmacists, with report of the committee recommending

that it do pass, was taken up, and on motion of Senator Mattoon was postponed until Monday at 10:30 A. M., at which hour it was made a special order.

The hour having arrived for consideration of the special order, it being Senate file No. 38, a bill for an act to provide for the listing and assessment for taxation of the capital stock of banks, organized under the laws of this State, with report of the committee recommending a substitute, and when adopted it do pass, was taken up, and on motion of Senator Barnett was postponed until 11 o'clock A. M., Monday, at which hour it was made a special order.

Senator Price offered the following resolution:

WHEREAS, The Committee on Educational Institutions, to which was referred the resolution by which the report of the special Investigation Committee to investigate certain charges made against the Iowa State University with request to consider the same and report at an early day, by bill or otherwise, has filed a report declining to consider the same because of lack of time in view of an early adjournment and the press of other legislative duties, and

WHEREAS, Said report of said Investigating Committee has been upon the desks of Senators since the organization of this General Assembly, and contains findings seriously reflecting upon the financial management of said State University, and is worthy of the most careful examination and consideration. Therefore,

Resolved, That a special committee of five be appointed whose duty it shall be to consider said resolution and report at as early a day as is practicable, touching each of the requirements of said resolution.

Objection being made to the immediate consideration of the resolution, Senator Price moved to suspend the rule.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Barrett, Bills, Clyde, Finn, Kegler, Lawrence, Mack, Meservey, Mills, Perkins, Price, Reiniger, Seeds, Smith of Wright, Stewart, Woolson—18.

The nays were:

Senators Bayless, Brower, Caldwell, Cleveland, Dungan, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kelly, McCoy, Mosnat, Shields, Smith of Linn, Taylor, Vale, Wolfe—19.

Absent or not voting:

Senators Barnett, Bolter, Cassatt, Davidson, Dodge, Engle, Kent, Mattoon, McVay, Parrott, Rich, Schmidt, Weidman—13.

So the motion was lost.

REPORTS OF STANDING COMMITTEES.

Senator Davidson, 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:

Senate file No. 388, an act to grant cities under special charter the power to fix the compensation of their mayors and to legalize compensation heretofore paid to the mayors of such cities.

Also, Senate file No. 381, an act conferring additional powers upon certain cities of the first class in respect to assessors.

Also, Senate file No. 330, an act to legalize the acts of the independent school district of Fremont, Mahaska county, Iowa, relating to voting bonds for the purpose of building a school-house.

Also, substitute for Joint Resolution No. 2, relative to placing jute and sisal grass upon the free list.

Also, Senate file No. 105, an act to amend section 17, chapter 94, laws of the 19th General Assembly.

Also, Senate file No. 260, an act to repeal section 1 of chapter 10, of the laws of the 22d General Assembly, and to enact a substitute therefor.

D. B. DAVIDSON, *Chairman*.

Senator Smith of Linn, 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. 134, a bill for an act to amend chapter 20 of the acts of the Twentieth General Assembly of Iowa, by including within the provisions thereof certain 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 it do pass.

J. H. SMITH, *Chairman*.

Ordered passed on file.

On motion of Senator Smith of Linn, House file No. 134, a bill for an act to amend chapter 20 of the acts of the Twentieth General Assembly of Iowa, by including within the provisions thereof certain cities of the second class, with report of committee recommending it do pass, was taken up and considered.

Senator Smith of Linn 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 Bailey, Ballingall, Barrett, Bayless, Bills, Bolter, Cleveland, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Lawrence, Mack, Mattoon, McCoy, Meservey, Mills, Mosnat, Parrott, Perkins, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Wolfe—35.

The nays were—none.

Absent or not voting:

Senators Barnett, Brower, Caldwell, Cassatt, Dodge, Engle, Kent, McVay, Price, Reiniger, Rich, Schmidt, Seeds, Weidman, Woolson—
15.

So the bill passed and the title was agreed to.

INTRODUCTION OF BILLS.

By Senator Vale, Senate file No. 402, a bill for an act to provide for the protection of owners of stallions and breeds of pure blooded horses.

Read first and second times and referred to the Committee on Agriculture.

By Senator Vale, Senate file No. 403, a bill for an act to amend section 3977 of the Code of Iowa.

Read first and second times and referred to the Committee on Agriculture.

PETITIONS AND MEMORIALS.

By Senator Mills, by request, petition of J. L. Brown asking to be reimbursed for moneys paid out by him to maintain and establish his rights as Auditor of State of the State of Iowa, during the years 1885 and 1886.

Referred to the Committee on Claims.

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 Senate file No. 306, 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 prices, and furnish the same to pupils at cost, beg leave to report 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 prepared and reported a substitute for all text-book bills.

G. L. FINN, *Chairman*.

Ordered passed on file.

Senator Seeds, 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. 65, a bill for an act to amend chapter 185, acts of the Twentieth General Assembly, in relation to the inspection and sale of products of

petroleum, beg leave to report 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 "fifteen hundred" of line 14, section 1, and insert in lieu thereof, the words "two thousand," and that the following be added to section 1, to-wit: "That the said inspector shall himself, have charge of and perform all the duties of inspection in the district in which he resides" and as amended that it do pass.

ED. P. SEEDS, *Chairman*.

Ordered passed on file.

Senator Perkins, from the Committee on Claims, submitted the following reports:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 155, a bill for an act for the relief of Louis Case, of Bremer 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 striking out the word "fifteen" and figure "(15)" in line 2, section 1, of the printed bill and that when so amended it do pass.

GEO. W. PERKINS, *Chairman*.

Ordered passed on file.

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. 6, favoring the election of United States Senators by a direct vote of the people, beg leave to report that they have had the same under consideration, a majority of the committee have instructed me to report the same back to the Senate with the recommendation that the consideration thereof be indefinitely postponed.

ROBT. G. REINIGER, *Chairman*.

Ordered passed on file.

Senator Smith of Linn, from the Committee on Cities and Towns, submitted the following reports:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 127, a bill for an act to amend section 470 of the Code of Iowa, 1873, in relation to cities and incorporated towns, beg leave to report 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. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 336, a bill for an act to regulate the sale and manufacture of intoxicating liquors in municipal corporations, 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.

The committee have ordered 500 copies of the bill printed.

J. H. SMITH, *Chairman*.

Ordered passed on file.

Senator Mills, from the Committee on Educational Institutions, submitted the following reports:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 148, a bill for an act to establish and maintain a Normal School for the instruction and training of teachers for the southeast quarter 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 without recommendation.

W. D. MILLS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 19, a bill for an act to establish and maintain the Northwestern Normal School, for the instruction and training of teachers, and to provide for the selection of sites for other Normal 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 without recommendation.

W. D. MILLS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Educational Institutions to whom was referred Senate file No. 234, a bill for an act to establish and maintain a Normal School at Red Oak, Iowa for the instruction and training of teachers for the common schools 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 without recommendation.

W. D. MILLS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 227, a bill for an act to provide for the permanent support of the State University in the several departments and chairs and to aid the income fund and to create a fund from which money may be used in the enlargement of the facilities of the said institution as shall be determined by the board of regents of said institution, 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.

W. D. MILLS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—The Committee on Educational Institutions, to whom was referred Senate file No. 209, a bill for an act to establish a normal school at Humeston, Wayne 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 without recommendation.

W. D. MILLS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 234, a bill for an act to establish and maintain a normal school at Grinnell, in Poweshiek county, for the instruction and learning of 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 without recommendation.

W. D. MILLS, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 104, a bill for an act to establish a normal school at Le Mars, Plymouth county, Iowa, and appropriating \$100,000 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 without recommendation.

W. D. MILLS, *Chairman*.

Ordered passed on file.

Senator Smith of Wright, from the Committee on Commerce, submitted the following report:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred Senate file No. 357, a bill for an act to amend section eleven, chapter 185, acts of the Twenty-second General Assembly, in relation to the inspection and sale of petroleum, beg leave to report 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.

W. C. SMITH, *Chairman*.

Also:

MR. PRESIDENT—Your Committee, to whom was referred Senate file No. 177, a bill for an act to amend chapter 80 of the laws of the Twenty-second General Assembly, in relation to the prevention of fraud in the sale of flour and other mill products, beg leave to report 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. C. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred Senate file No. 94, a bill for an act to prohibit pools, trusts and combinations in specified cases, beg leave to report the same back to the Senate without recommendation.

W. C. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred Senate file No. 147, a bill for an act prohibiting the formation of pools, trusts and conspiracies, and fixing the penalty for a violation thereof 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 without recommendation.

W. C. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred Senate file No. 182, a bill for an act to repeal chapter eighty of the acts of the 22d General Assembly, and enact a substitute therefor, relating to the prevention of fraud in the sale of flour and other products, beg leave to report 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. C. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred Senate file No. 140, a bill for an act for the inspection of steam boilers and stationary, portable and traction engines, and licensing engineers 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, for the reason that substitute for Senate file No. 82 covers the same subject.

W. C. SMITH, *Chairman*.

Ordered passed on file.

Senator Mills, from the Committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred the resolution offered by Senator Price, beg leave to report 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 referred back to the Senate with the statement to that body that it involves so much of investigation that owing to the short time yet remaining of the session we are unable to comply with its provisions without neglect of other important legislative duties.

W. D. MILLS, *Chairman*.

Ordered passed on file.

Senator Caldwell, from the Committee on Public Health, submitted the following reports:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 171, a bill for an act amendatory of chapter 26, acts of the Nineteenth General Assembly in relation to the practice of dentistry 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.

E. J. CALDWELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 375, a bill for an act to prohibit the location of cemeteries within the limits of incorporated cities and towns, beg leave to report 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.

E. J. CALDWELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 285, a bill for an act to amend section 2532, chapter 8, Title 9 of McClain's annotated Code of Iowa, revised 1888 statutes and section 10, chapter 75, acts of the Eighteenth General Assembly as amended by section 21, chapter 137, acts of the Nineteenth General Assembly and section 3, chapter 83, acts of the Twenty-first General Assembly, concerning itinerant venders of drugs, license and appropriation, 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 it do pass.

E. J. CALDWELL, *Chairman*.

Ordered passed on file.

Senator Woolson, from Committee on Judiciary, submitted the following reports:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 393, a bill for an act legalizing the electric light plant in the town of Bloomfield, Iowa, and the ordinances authorizing its establishment and contracting for electric light for the streets 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 be amended by inserting after the word "town" in the fifth line of the preamble the words, "without first submitting the question to a vote of the legal voters of said town. Also, by striking out of section 1 all after the word "if," being the last word but one in the fifth line of said section, and inserting in lieu thereof the following: "The legal voters of the town of Bloomfield, at an election duly held, had by a majority voted in favor of establishing said electric light plant." and your committee recommend 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. 281, a bill for an act to repeal chapter 5, title 25, of the Code of Iowa, and chapter 69, of the Sixteenth General Assembly, and to define who are vagrants and to punish vagrants, 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 bill be indefinitely postponed.

JOHN S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 363, a bill for an act to legalize the organization of the independent district of Corwith, Iowa, and the acts of said district and of its Board of Directors and 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 Senate file No. 394, a bill for an act to legalize the electric light plant in the town of Montezuma, Iowa, and the ordinances authorizing its establishment and contracting for electric light for the streets 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 be amended by inserting after the word "town," in the fifth line of the preamble, the words "without first submitting the question to a vote of the legal electors of said town." Also, amend by striking out of section 1, all after the word "if," being the last word but one in the fifth line of said section, and inserting in lieu thereof, the following: "The legal voters of the town of Montezuma, at an election duly held, had, by a majority, voted in favor of establishing said electric light plant," 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 Senate file No. 321, a bill for an act creating and establishing an appellate court, and defining the powers and jurisdiction thereof, 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 as follows:

Amend section 2 by striking from line six. original bill of said section the words "fifteen hundred," and inserting the words "one thousand" in lieu thereof.

Amend by inserting after the word "causes," being the last word in the ninth line of section two, the words, "all causes and matters in probate and guardianship.

Amend section 6 by striking from line five of said section the word "four," and inserting in lieu thereof, the word "two," also, amend by adding to the end of section 6 the following: "The Chief Justice of the supreme court shall, if necessary for the prompt transaction of business in the district, also have power to assign from time to time, any district judge in the State to hold court in a district from which an appellate court judge has been selected.

Amend section 8 by inserting, in line sixteen, after the word "appeals," the words "from the appellate courts. also amend section 8 by striking from lines sixteen and seventeen the words "allowed upon question of law.

Amend section 9 by striking from the third line thereof, the word "briefly."

Amend section 12 to read as follows:

SECTION 12. The appellate court shall be held at the Capitol at Des Moines, and the terms thereof shall commence on the first Tuesday of March, the third Tuesday of August and the fourth Tuesday of November in the year 1891, and in each year thereafter.

Amend by inserting as section 3, the following:

S.E.C. 13. Each of said judges of appellate court shall receive in addition to the compensations now paid, the sum of three hundred dollars per annum."

Amend section 13 by striking out therefrom the figures "13" and inserting "14."

Amend by striking out all of section 14, the population clause; and as so amended the bill do pass.

JNO S. WOOLSON, *Chairman*.

Ordered passed on file.

Senator Parrott, from 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 State levy, 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 same be indefinitely postponed.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Senator Meservey, from Committee on Railways, submitted the following report:

MR. PRESIDENT--Your Committee on Railways, to whom was referred House file No. 25, a bill for an act requiring all railroads, corporations, companies and persons operating a railroad and doing business in Iowa, to equip all their engines and cars with proper, efficient and automatic couplers and brakes, and for prescribing penalties for failure 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.

A. F. MESERVEY, *Chairman*.

Ordered passed on file.

Senator Taylor offered the following resolution:

Resolved, That the Senate hold an evening session Monday evening next at 7:30 for the purpose of taking up legalizing acts and bills recommended for indefinite postponement, where there are no objections.

Adopted.

The Journal of yesterday was corrected and approved.

Leave of absence was granted Senator Dungan for next Monday forenoon.

On motion of Senator Finn the Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, Monday, March 31, 1890. }

Senate met in regular session at 10 o'clock A. M., and was called to order by President pro tem Meservey.

Prayer by Rev. B. F. W. Cozier.

The hour having arrived for consideration of the special order, it being Senate file No. 6, a bill for an act to amend chapter 9 of the Code of 1873, and make the same applicable to private bankers, with the report of the committee recommending a substitute, and that it do pass, was taken up and considered.

Senator Kelly moved to refer the bill to the Committee on Banks, with instructions to report not later than April 5.

Pending which, the hour having arrived for consideration of the special order, it being Senate file No. 313, a bill for an act to amend section one (1), chapter 137, laws of the Twenty-second General Assembly, relative to registered pharmacists, with report of the committee recommending that it do pass, it was taken up, and on motion of Senator Finn was postponed until the special order under consideration is disposed of.

The Senate resumed consideration of the special order, it being Senate file No. 6, a bill for an act to amend chapter 9 of the Code of 1873, and make the same applicable to private bankers, with report of the committee recommending a substitute, and that it do pass.

The question being on the adoption of the motion of Senator Kelly to re-commit the matter to the Committee on Banks.

Pending which, the hour having arrived for the consideration of special order, it being Senate file No. 38, a bill for an act to provide for the listing and assessment for taxation of the capital stock of banks organized under the laws of this State, with report of the committee recommending substitute, and when adopted it do pass, it was taken up, and on motion of Senator Finn was postponed until the present special order and the one set to follow it were disposed of.

The Senate resumed consideration of the special order, it being Senate file No. 6, a bill for an act to amend chapter 9 of the Code of 1873 and make the same applicable to private bankers, with report of the committee recommending a substitute, and that it do pass.

The question being on the motion of Senator Kelly to re-commit the whole matter to the Committee on Banks.

Senator Clyde moved, as an amendment that the bill and report be made a special order for 10 o'clock A. M. on Monday, April 7th.

Adopted.

The question now being on the adoption of the motion of Senator Kelly, as amended.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Barrett, Bills, Bolter, Brower, Cleveland, Clyde, Davidson, Funk, Gobble, Groneweg, Hanchett, Kegler, Kelly, Lawrence, Mack, Mattoon, McCoy, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Smith of Linn, Stewart, Taylor, Vale, Wolfe—32.

The nays were:

Senators Dodge, Engle, Finn, Harsh, Meservey, Seeds, Shields, Weidman, Woolson—9.

Absent or not voting:

Senators Barnett, Bayless, Caldwell, Cassatt, Dungan, Gatch, Kent, McVay, Smith of Wright—9.

So the motion was carried.

On motion of Senator Woolson, Senate file No. 327, a bill for an act to legalize the proceedings of the board of supervisors of Johnson county, Iowa, in locating and causing to be constructed a ditch in Fremont township in said county, known as the Walker ditch, and to provide for an assessment and levy of the costs and expenses thereof on the lands benefited thereby, with report of the committee recommending amendments and that it do pass, and

Senate file No. 326, a bill for an act to legalize the proceedings of the board of supervisors of Johnson county, Iowa, in locating and causing to be constructed a ditch in Fremont township in said county, known as the Alcock ditch, and to provide for an assessment and levy of the costs and expense thereof on the lands benefited thereby, with report of the committee recommending amendments and that it do pass, was taken up, and recommitted to the Committee on Judiciary, to retain their calendar number.

The Senate took up for consideration the special order, it being Senate file No. 313, a bill for an act to amend section one (1), chapter 137, laws of the Twenty-second General Assembly, relative to registered pharmacists, with report of committee recommending that it do pass.

Senator Mattoon offered the following amendment: Strike out all after the enacting clause, and insert the following in lieu thereof: Section one (1), "that section one (1) of chapter one hundred and thirty-seven (137), acts of the 19th General Assembly, be amended by

inserting after the word 'examination' in the fifth (5th) line, the words 'shall not,' and by striking out the words 'who has thus forfeited his registration' in the ninth (9th) line, and by striking out the word 'is' in the tenth (10th) line and inserting in lieu thereof the words "will not be."

Adopted.

Senator Mattoon moved 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Clyde, Davidson, Dodge, Dungan, Engle, Funk, Gatch, Goble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Lawrence, Mack, Mattoon, McCoy, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—43.

'The nays were—none.

Absent or not voting:

Senators Caldwell, Cassatt, Cleveland, Finn, Kent, McVay, Mosnat—7.

Senator Mattoon moved to strike out the title of the bill and insert the following:

A bill for an act to amend section one of chapter one hundred and thirty-seven (137), acts of the Nineteenth (19) General Assembly, relating to pharmacists registered without examination.

Adopted.

So the bill passed and title as amended was agreed to.

The time having arrived for consideration of the special order, it being Senate file No. 38, a bill for an act to provide for the listing and assessment for taxation of the capital stock of banks organized under the laws of this State, with report of the committee recommending substitute, and when adopted it do pass, it was taken up and considered.

The question being on the adoption of the amendment offered by Senator Seeds, striking out the words "monied capital in the hands of individuals" and insert "taxable property." Amendment adopted.

Senator Price moved a reconsideration of the vote by which the above amendment was adopted.

Lost.

Senator Seeds moved to amend as follows:

Add to first section of the bill the following:

Provided, That the valuation of the real estate purchased by or taken upon security for loans of the capital stock of any such banking association shall be deducted from said capital stock before any assessment as herein contemplated is made.

Pending consideration of which the journal of last Saturday was corrected and approved.

Senator Weidman filed the following:

As I was absent on leave, March 30th, when a vote was taken on the joint rate bill, I desire to say that had I been present I would have voted for the passage of said bill.

THOS. WEIDMAN, *Senator 8th district.*

REPORTS OF STANDING COMMITTEES.

Senator Parrott, from the Committee on Ways and Means, submitted the following reports:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 74, a bill for 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, 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.

MATT PARROTT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No 98, a bill for an act to exempt after the year 1890, homesteads from ordinary taxation to the value of \$500, 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.

MATT PARROTT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 39, 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 the majority of the committee 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.

Senator Smith of Linn, from the Committee on Cities and Towns, submitted the following reports:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 277, a bill for an act authorizing in certain cities, a special tax for the grading of streets, 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 amended by inserting after the word "tax," in line two of section three, the following: "for a period of not more than five years, and no other tax shall be so pledged until the expiration of said period," and when so amended the bill do pass.

J. H. SMITH; *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 154, a bill for an act authorizing cities having a population of five thousand inhabitants, or more, to permit the sale of intoxicating liquors as a beverage, and to permit its manufacture and sale in such cities, 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 same be amended as follows: strike out all after the word "State" in the 1st line of section 1, and to and including the word "census" in the 2d line thereof, and insert in lieu thereof, the words "of the first and second class and cities organized under special charters"; also, strike out the word "intoxicating" in the 4th line of said section 1, and insert in lieu thereof, the words "spirituuous malt and vinous"; also, strike out of the 5th line of said section the words "as a beverage"; strike out the words "at least two" and insert in lieu thereof, the words "one or more" in line 7, of section 2; strike out of line 3, of section 3, the words "as a beverage," and add the letter "s" to the word "ballot," line 4 of section 3; strike out all after the word "appointed" in line 8, of section 5 and up to and including the word "indebtedness" in line 10 and insert the word "all" after the word "not" in the 10th line of said section 5.

In line 2 of section 6 after the word "refuse" insert the words "or revoke after having issued," and insert after the word "locations" in the 3d line of said section 6 the words "as provided herein;" in section 7, line 2, after the words "per annum" insert the words "payable monthly," and in line 3 of said section 7 strike out the words "by the city treasurer out of" and insert in lieu thereof the words "out of the city treasury from." Strike out all after the word "permits" in the 4th line and up to and including the word "aforesaid" in the 5th line of said section 7. Strike out the words and "citizen" in the 4th line of section 8; insert in 7th line of said section 8 after the word "oath" the words "and shall be endorsed by at least 30 freeholders residents of the voting precinct wherein the permit is to be issued, including the immediate adjacent property holders." Insert after the word "grant" the letter "a" in line 8 of section 8. Insert after the word "public" the words "or private" in line 9 of section 8. Insert after the word "industries" the words "if there be filed with the said board any remonstrance against any application for such permit, then said board shall fix a day for the hearing thereof." In line 10 of section 8, add as section 9 the following: "Section 9. Said Commissioners so appointed, shall not in any case issue permits for the manufacture or sale of said liquors in any voting precinct wherein the voters at such election as aforesaid have declared against the sale of intoxicating liquors, and it shall be the duty of said city clerk to furnish the said Commissioners, when appointed, a certified copy of the official returns of said election." Strike out of line 3 in section 9 the words and figures "one thousand dollars (\$1,000.00) nor more than fifteen hundred dollars (\$1,500.00)," and insert in lieu thereof, the

words and figures "five hundred dollars (\$500.00) and such additional sum as said board may direct."

Strike out of line 2 in section 10 the words "ten thousand dollars," and insert in lieu thereof the words "at least five thousand dollars, payable to the city wherein such permit is granted;" insert after the word "permits," in the 5th line of said section 10, the words "and that he will pay all damages, penalties, and forfeitures which may be adjudged against him under the provisions hereof."

Strike out in the first line of section 12 the word "will" and insert in lieu thereof the word "shall." Strike out of line 6 of said section 12 the words "central time."

Strike out of line 6 of section 13 the words "court or the mayor," and insert in lieu thereof the words "said excise commissioners." Strike out all after the word "duty" up to and including the word "of" in line 9 of said section 13, and insert in lieu thereof the words "then the said excise commissioners shall commence." Strike out the word "person" in line 1 of section 14, and insert in lieu thereof the word "one" and strike out all after the word "maintained" in line 3 of said section 14 and insert in lieu thereof the words "upon said bond therefor by any person" insert the word "said" after the word "of" and before the word "intoxicating" in line 3 of section 16.

Add as section 18 the following:

"Section 18. Any person selling contrary to the provisions of this act, or violating any of its provisions, shall be deemed guilty of a misdemeanor, and shall be fined upon conviction thereof the sum of one hundred dollars or imprisonment in the county jail for a period of thirty (30) days, or both, and shall pay all costs, and said board shall, or any person may, institute proceedings, and upon a second conviction shall be deemed guilty of a felony, and shall be imprisoned in the penitentiary for a term of not less than one nor more than three years."

That the sections of the bill be renumbered accordingly.

Also that the title of said bill be amended by striking out the same and inserting the following:

"A bill for an act authorizing cities of the first and second class, and cities organized under special charter, to permit the sale of spirituous, malt and vinous liquors, and to permit the manufacture and sale in such cities."

And when so amended the bill do pass.

The committee have ordered that 500 copies of the amended bill be printed.

J. H. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 75, a bill for an act making further provision with respect to contracts by cities organized under special charters for paving and curbing streets, and the construction of sewers and the making and collection by such cities of assessments, and the issuance of bonds or certificates by such cities to pay for such improvements, beg leave to report 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" after the word "curbing" in line four of section two; also, by inserting the words "surfacing with any composition patented or otherwise," after the word "paving," in line four of section two; also, by inserting the words, "or city recorder as the case may be" after the word "clerk" in line 8 of section 6; also, by

inserting the words, "or city recorder as the case may be," after the word "clerk," in line 2 of section 7; also, by inserting the words, "or city recorder as the case may be," after the word "clerk," in line 4 of section 8; also, by inserting the words, "or city recorder as the case may be," after the word "clerk," in line 1 of section 11; also, by inserting the words, "or city recorder as the case may be," after the word "clerk," in line 9 of section 11; also, by inserting the words, "or city recorder as the case may be," after the word "clerk," in line 11 of section 11; also, by inserting the words, "or for any other reason or reasons at the discretion of the council," after the word "provided," in line 3 of section 15; and when so amended the bill do pass.

J. H. SMITH, *Chairman*.

Ordered passed on file.

Senator Perkins, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims to whom was referred Senate file No. 374, a bill for an act to relieve Mrs. A. Neet, Reinbeck, 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 striking out the words "three thousand" in section 1, and inserting in lieu thereof the words "two thousand five hundred," and that when so amended it do pass.

GEO. W. PERKINS, *Chairman*.

Ordered passed on file.

Senate adjourned until 2 P. M.

AFTERNOON SESSION.

The Senate met at 2 o'clock, P. M.

Lieutenant-Governor Poyneer in the chair.

REPORTS OF STANDING COMMITTEES.

Senator Davidson, from Committee on Enrolled Bills submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate file No. 51, a bill for an act for the protection and preservation of fish, and repealing sections 1, 2, 3, 4, 6, 7, 8, 9, 10 and 11 of chapter 50, acts of the 15th General Assembly; chapter 70, acts of the 16th General Assembly; sections 3, 5, 6, 7 and 8 of chapter 80, acts of the 17th General Assembly; chapter 92, acts of the 18th General Assembly, and chapter 9, acts of the 20th General Assembly.

Also, Senate file No. 10, a bill for an act to repeal sections 1, 2, 3 of chapter 12, of the acts of the Eighteenth General Assembly, relative to the management of the permanent school fund and to enact a substitute therefor.

Also, Senate file No. 322, a bill for an act to amend section one, chapter thirty-two, laws of the Eighteenth General Assembly of the State of Iowa, relating to extension of street railways over highways in certain cases.

Also, Senate file No. 223, a bill for an act to provide for temporarily filling vacancy in the office county recorder, and find the same correctly enrolled.

D. B. DAVIDSON, *Chairman*.

Senator Woolson, from the Committee on Judiciary, submitted the following reports:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 327, a bill for an act to legalize the proceedings of the board of supervisors of Johnson county, Iowa, in locating and causing to be constructed a ditch in Fremont township, in said county, known as the Walker ditch, and to provide for an assessment and levy of the costs and expenses thereof on the lands benefited thereby, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: Amend section 1, original bill, by striking out the sixth, seventh, eighth and ninth lines the words, "the order or orders for issuing warrants for payment for the work done and expenses of said location and construction, and the warrants issued therefor by the auditor of Johnson county" Amend section 2 by striking from line nineteen the word "benefited" and inserting the word "affected" in lieu thereof. Amend by inserting as section 3 the following:

"Section 3. In making the reapportionment and reassessment provided for in the act, any land that has actually been sold and conveyed between June 28, 1887, and March 18, 1890, shall not be reassessed; but the failure to reassess any such land shall not operate to increase the assessment on any other land affected by this act. *Provided*, that the warrants issued by the county auditor for the construction of said ditch shall be paid *pro rata* from the proceeds of the reapportionment, reassessment, levy and collection herein provided for."

Also amend the publication section by striking out the words, "sec. 3" and inserting the words, "section 4" in lieu thereof. 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 Senate file No. 326, a bill for an act to legalize the proceedings of the board of supervisors of Johnson county, Iowa, in locating and causing to be constructed a ditch in Fremont township, in said county, known as the Alcock ditch, and to provide for an assessment and levy of the costs and expenses thereof on the lands benefited thereby, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: Amend section 1 by striking from the sixth, seventh, eighth and ninth lines thereof the words, "the order or orders for issuing warrants for payment for the work done and expenses of said location and construction, and the warrants issued therefor by the auditor of Johnson county." Amend section 2 by striking from line nineteen the word "benefited" and inserting the word "affected" in lieu thereof. Amend by inserting in section 3 the fol-

lowing: "Section 3. In making the re-apportionment and re-assessment provided for in the act, any land that has actually been sold and conveyed between June 28, 1887, and March 18, 1890, shall not be re-assessed; but the failure to re-assess any such land shall not operate to increase the assessment on any other land affected by this act. *Provided*, That the warrants issued by the county auditor for the construction of said ditch shall be paid *pro rata* from the proceeds of the re-apportionment, re-assessment, levy and collection herein provided for." Also, amend the publication section by striking out the words, "Sec. 3," and inserting the words, "Sec. 4," in lieu thereof; and your committee recommend that as so amended the bill do pass.

JOHN S. WOOLSON, *Chairman*.

Ordered passed on file.

The Senate resumed consideration of the special order, it being Senate file No. 38, a bill for an act to provide for the listing and assessment for taxation of the capital stock of banks organized under the laws of this State, with report of the committee recommending substitute, and when adopted it do pass.

The question being on the adoption of the amendment offered by Senator Seeds, Senator Harsh offered the following substitute:

"*Provided*, That the assessed value of the real estate, which includes the bank building, be first deducted from the assessed value of shares of stock."

Accepted by Senator Seeds.

On the question of the adoption of the amendment, the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Harsh, Seeds, Wolfe, Woolson—5.

The nays were:

Senators Bailey, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Hanchett, Kegler, Kelly, Lawrence, Mack, Mattoon, McCoy, Meservey, Mosnat, Perkins, Price, Reiniger, Rich, Schmidt, Smith of Linn, Stewart, Taylor, Vale, Weidman—37.

Absent or not voting:

Senators Cassatt, Finn, Kent, McVay, Mills, Parrott, Shields, Smith of Wright—8.

So the amendment was lost.

Senator Barrett moved to amend by striking out all after the word "shareholders" in the 14th line of section 1 of the printed bill.

Adopted.

Senator Kelley moved to strike out section 2.

Adopted.

Senator Groneweg moved to amend as follows:

Insert after the word "stock" in the first line of section 1, "and the surplus."

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Bolter, Davidson, Dodge, Engle, Finn, Funk, Gobble, Groneweg, Hanchett, Harsh, McCoy, Meservey, Mosnat, Perkins, Rich, Stewart, Taylor, Weidman, Wolfe—20.

The nays were:

Senators Bailey, Barnett, Bayless, Bills, Caldwell, Cassatt, Cleveland, Clyde, Dungan, Gatch, Kegler, Kelly, Lawrence, Mack, Parrott, Price, Reiniger, Schmidt, Seeds, Smith of Linn, Vale, Woolson—22.

Absent or not voting:

Senators Barnett, Brower, Kent, Mattoon, McVay, Mills, Shields, Smith of Wright—8.

So the amendment was lost.

Senator Barnett explained his vote as follows:

I vote no for the reason that I think this amendment will endanger the bill on its final passage; otherwise I am in favor of the amendment.

J. H. BARNETT, 11th District.

Senator Stewart moved to amend by striking out the word "or," before the word "commercial," in second line of the printed bill, and insert after the word "commercial" the words "sayings or national."

There being no votes in the affirmative, the amendment was lost.

Senator Smith of Linn moved to amend as follows:

Strike out of first line of section 1 the word "the" immediately preceding the word "banking," and insert the word "any."

On this the yeas and nays were demanded.

The yeas were:

Senators Bolter, Caldwell, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gatch, Hanchett, Harsh, Kegler, Lawrence, McCoy, Meservey, Mosnat, Perkins, Seeds, Smith of Linn, Stewart, Taylor, Weidman—23.

The nays were:

Senators Bailey, Ballingall, Barnett, Bayless, Bills, Brower, Cleveland, Gobble, Groneweg, Kelly, Mack, Mattoon, Parrott, Price, Reiniger, Rich, Schmidt, Vale, Wolfe, Woolson—20.

Absent or not voting:

Senators Barrett, Cassatt, Kent, McVay, Mills, Shields, Smith of Wright—7.

So the amendment was adopted.

Senator Smith of Linn moved to strike out of second line in section one, the word "act" and insert the word "laws."

Adopted.

Senator Smith of Linn moved to strike out the word "associations" and insert the word "association" in the first line of the printed bill.

Adopted.

Senator Finn moved to strike out all the words after the word "any" in the first line to the word "shall" in the second line, and insert the words "bank, together with the surplus of the same."

Senator Kelly moved to amend the amendment as follows: Add after the word "bank" in the amendment the following: "Or insurance company."

Lost.

The question now being on the adoption of the amendment offered by Senator Finn.

On this the yeas and nays were demanded.

The yeas were:

Senators Failey, Ballingall, Barrett, Bills, Bolter, Caldwell, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gobble, Groneweg, Harsh, Kelly, Mattoon, McCoy, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Seeds, Stewart, Taylor, Vale, Weidman—31.

The nays were:

Senators Barnett, Bayless, Brower, Cassatt, Cleveland, Gatch, Hanchett, Kegler, Kent, Mack, Rich, Schmidt, Smith of Linn, Wolfe—14.

Absent or not voting:

Senators Lawrence, McVay, Shields, Smith of Wright, Woolson—5.

So the amendment was adopted.

Senator Schmidt moved to amend by inserting after section 1 the following:

Section 2. Nothing contained in this act shall be construed so as to make its provisions applicable to savings banks organized under and by virtue of the laws of this state.

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Dungan, Kelly, Kent, McCoy, Wolfe, Woolson—7.

The nays were:

Senators Bailey, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dodge, Engle, Finn, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Lawrence, Mattoon, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Stewart, Taylor, Vale, Weidman—36.

Absent or not voting:

Senators Funk, McVay, Mack, Mosnat, Shields, Smith of Linn, Smith of Wright—7.

So the amendment was lost.

Senator Engle thus explained his vote:

I believe that all property should bear its just share of taxation. No class laws, no exemption.

PERRY ENGLE, *Senator 29th District.*

Senator Reiniger moved to add the following:

SECTION 2. All acts or parts of acts in conflict or inconsistent with this act are hereby repealed.

Adopted.

Senator Clyde moved to amend by striking out the words "all shares of the capital stock of any," and insert "the paid up capital stock of any."

Pending which, Senator McCoy moved to commit the bill to the Committee on Judiciary with instructions to report back to-morrow.

Adopted.

On motion of Senator McCoy this bill was made a special order for Wednesday at 10:15 A. M.

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 resolution, in which the concurrence of the Senate is asked:

Substitute for H. F. No. 174, a bill for an act for the punishment of pools, trusts, combinations and companies, and as to evidence in such cases.

H. F. No. 263, a bill for an act legalizing the revised ordinances of the city of Independence, in Buchanan county.

House file No. 365, a bill for an act to legalize the incorporation and official proceedings of the town of Dyersville, county of Dubuque, and State of Iowa.

H. File No. 343, a bill for an act to legalize the incorporation of the town of Hartley, county of O'Brien, and State of Iowa.

House file No. 434, a bill for an act to legalize the incorporation of the town of Guthrie Center, Guthrie county, Iowa, the election of its officers and all the acts and ordinances of said town.

House file No. 302, a bill for an act to legalize the organization of the Des Moines Conference of the Evangelical Association of Iowa.

House file No. 354, a bill for an act to legalize the incorporation of the town of Rock Valley, Sioux county, Iowa.

House file No. 416, a bill for an act to legalize the extension of Benz street, in the incorporated town of Lawler, Chickasaw county, Iowa.

House file No. 331, a bill for an act to legalize the incorporation of the town of Casey, Guthrie county, Iowa, the election of its officers, and the ordinances passed by said town.

H. F. No. 464, a bill for an act legalizing the electric light plant in the town

of Bloomfield, Iowa, and the ordinances authorizing its establishment and contracting for electric light for the streets of said town.

Concurrent resolution relative to appointing a committee in relation to G. A. R. reception.

Also, that the House has passed the following Senate bills:

Senate file No. 144, a bill for an act authorizing cities to deepen, widen, straighten, wall up, cover, alter, change or divert from its natural channel, and to conduct the same in artificial channels or into or through covered drains or sewers to be constructed for the purpose, any water course within the corporate limits of said cities, and to provide the manner in which the same shall be done, and to authorize the levy and collection of a special tax and the levy of special assessments to defray the cost and expense thereof.

Senate file No. 7, a bill for an act to amend section 589 of the Code of 1873, in reference to the election of county auditor.

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: S. F. Nos. 10, 51, 223 and 322. Also, H. F. No. 55.

HENRY S. WILCOX, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator Price, Senate file No. 404, a bill for an act to relieve Anderson M. Bengé and others to whom loans of the school fund were made in Madison county, Iowa.

Read first and second times and referred to the Committee on Judiciary.

On motion of Senator Caldwell, Senate file No. 175, a bill for an act to amend chapter thirty (30) of the laws of the Twenty-second General Assembly, approved April 6, 1888, and to remit certain penalties incurred thereunder, with report of committee recommending amendments, and when adopted 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Lawrence, Mack, Mattoon, McCoy, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Smith of Linn, Stewart, Taylor Vale, Weidman, Wolfe, Woolson—43.

The nays were:

Senator Engle—1.

Absent or not voting:

Senators Brower, Cassatt, Kent, McVay, Shields, Smith of Wright—6.

Senator Woolson moved to strike out from the title the words "approved April 6, 1888."

Carried.

So the bill passed and title as amended was agreed to.

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. 436, a bill for an act appropriating a certain sum of money to pay the expenses of the joint committee appointed to investigate certain charges against 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 it do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

On motion of Senator Gatch, House file No. 436, a bill for an act appropriating a certain sum of money to pay the expenses of the joint committee appointed to investigate certain charges against the State University of Iowa, 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cleveland, Clyde, Davidson, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Mack, Mattoon, McCoy, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Smith of Linn, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—42.

The nays were—none.

Absent or not voting:

Senators Brower, Cassatt, Dodge, Lawrence, McVay, Meservey, Shields, Smith of Wright—8.

So the bill passed and the title was agreed to.

Senators Meservey and Dodge were excused from voting, they having been members of the investigating committee.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to request of your honorable body the return to the House of S. F. 322.

H. S. WILCOX, *Chief Clerk*.

On motion of Senator Mattoon Senate file No. 244, a bill for an act for an appropriation for the claim of J. P. Bushnell & Co. for preparing, publishing and distributing five thousand copies of "Iowa Resources and Industries" at the world's fair in 1885, with report of the committee recommending amendments and that it do pass, was taken up and made a special order for to-morrow at 2:30 o'clock P. M.

On motion of Senator Dodge, Senate file No. 277, a bill for an act authorizing in certain cities a special tax for the grading of streets, with report of committee recommending amendments and when adopted that it do pass, was taken up, considered, and the report of the committee was adopted.

Pending which, Senator Kelly moved to postpone the time of adjournment until 5:30.

Lost.

Senator Lawrence, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate file No. 292, a bill for an act to provide for printing and distributing ballots at the public expense, and to regulate voting at State and other 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 indefinitely postponed for the reason that a majority of the committee recommend a substitute, and when adopted that it pass.

J. S. LAWRENCE, *Chairman*.

Ordered passed on file.

Senator Bayless, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 41, a bill for an act to amend section one (1) chapter 105, of laws of the 22d General Assembly, relating to the relief of Union soldiers, sailors and marines, beg leave to report 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.

F. D. BAYLESS, *Chairman*.

Ordered passed on file.

Senator Ed. P. Seeds, from the Committee on Compensation of Public Officers, submitted the following reports:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 279, a bill for an act to amend section 506 of the Code, relating to fees of mayor of cities and incorporated towns, beg leave to report 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 reported back.

ED. P. SEEDS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 137, a bill for an act relating to the appointment of official court reporters, the duties of same, and providing for 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 the recommendation that it be indefinitely postponed.

ED. P. SEEDS, *Chairman*.

Ordered passed on file.

Senator Clyde, from the Committee on Corporations, submitted the following reports:

MR. PRESIDENT—Your Committee on Corporations to whom was referred Senate file No. 107, 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 without recommendation.

J. F. CLYDE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Corporations to whom was referred Senate file No. 288, a bill for an act to regulate and define the sales of telegraph companies within 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 without recommendation.

J. F. CLYDE, *Chairman*.

Ordered passed on file.

Senator Lawrence, from the Committee on Elections, submitted the following reports:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate file No. 1, a bill for an act to provide for printing and distributing ballots at the public expense and to regulate voting at State and other elections, and to provide places in which to hold 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 indefinitely postponed, for the reason that a majority of committee recommend substitute, and when adopted that it pass.

J. S. LAWRENCE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate file No. 380, a bill for an act to provide for the use of Rhines vote recording machine in all elections held in this State in cities containing ten thousand or more inhabitants, after the 4th day of July, 1891, beg leave to report 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. S. LAWRENCE, *Chairman*,

Ordered passed on file.

Also.

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate file No. 345, a bill for an act to secure more fully the independence of electors at public to prevent intimidation and bribery, to secure the secrecy of the ballot and to provide for the use of Myers' patent American voting machine, beg leave to report 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. S. LAWRENCE, *Chairman*.

Ordered passed on file.

The Senate adjourned.

EVENING SESSION.

The Senate convened at 7:30 p. m.

Lieutenant Governor Poyneer in the chair.

On motion of Senator Kelly Senate file No. 327, a bill for an act to legalize the proceedings of the board of supervisors of Johnson county, Iowa, in locating and causing to be constructed a ditch in Fremont township in said county, known as the Walker ditch, and to provide for an assessment and levy of the costs and expenses thereof on the lands benefited thereby, with reports of committee recommending amendments, and when adopted it do pass, was taken up, considered, and the amendments recommended by the committee were adopted.

Senator Kelly, 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Cassatt, Cleveland, Dodge, Dungan, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Mack, Mattoon,

McCoy, Meservey, Mills, Mosnat, Parrott, Perkins, Reiniger, Rich, Schmidt, Seeds, Stewart, Taylor, Weidman, Wolfe, Woolson—38.

The nays were—none.

Absent or not voting:

Senators Bolter, Clyde, Davidson, Engle, Finn, Lawrence, McVay, Price, Shields, Smith of Linn, Smith of Wright, Vale—12.

So the bill passed and the title was agreed to.

On motion of Senator Kelly, Senate file No. 326, a bill for an act to legalize the proceedings of the board of supervisors of Johnson county, Iowa, in locating and causing to be constructed a ditch in Fremont township in said county, known as the Alcock ditch, and to provide for an assessment and levy of the costs and expense thereof on the lands benefited thereby, with report of committee recommending amendments and when adopted that it do pass, was taken up, considered, and the amendments recommended by the committee were adopted.

Senator Kelly 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Dodge, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, Meservey, Mills, Mosnat, Parrott, Perkins, Reiniger, Schmidt, Seeds, Shields, Smith of Linn, Stewart, Taylor, Weidman, Wolfe, Woolson—42.

The nays were—none.

Absent or not voting:

Senators Clyde, Davidson, Engle, Vale, McVay, Price, Rich, Smith of Wright—8.

So the bill passed and title was agreed to.

Senator Schmidt moved that the Senate do now take up for consideration bills of a purely local character and bills recommended for indefinite postponement in the order they appear on the calendar,

Carried.

Senate file No. 210, a bill for an act to legalize the acts of the council of the incorporated town of Arcadia, in Carroll county, Iowa, with report of committee recommending amendments, and when so amended that it do pass, was taken up, considered, and the amendments recommended by the committee were 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Reiniger, Seeds, Smith of Linn, Stewart, Taylor, Weidman, Wolfe, Woolson—39.

The nays were—none.

Absent or not voting:

Senators Cassatt, Davidson, Dodge, Engle, Mosnat, Price, Rich, Schmidt, Shields, Smith of Wright, Vale—11.

So the bill passed and the title was agreed to.

Senate file No. 211, a bill for an act to legalize the levy of certain taxes for certain years in Carroll county, Iowa, with report of committee recommending that it do pass, was taken up and considered.

Senator Bailey 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dungan Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Reiniger, Schmidt, Seeds, Shields, Smith of Linn, Stewart, Taylor, Weidman, Wolfe, Woolson—40.

Absent or not voting:

Senators Cassatt, Dodge, Engle, Finn, Kent, Price, Smith of Wright, Vale, Rich, Davidson—10.

So the bill passed and title was agreed to.

Senate file No. 24, 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, with report of a majority of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of committee adopted.

Senate file No. 153, a bill for an act to legalize certain ordinances of the incorporated town of Mitchellville, in the county of Polk and State of Iowa, with report of committee recommending amendments and that it do pass, was taken up, considered, and the amendments recommended by 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cleveland, Clyde, Dungan, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Lawrence, Mack, Mattoon, McVay, Meservey, Mills, Mosnat, Perkins, Price, Reiniger, Schmidt, Seeds, Shields, Stewart, Taylor, Weidman, Wolfe, Woolson—37.

The nays were—none.

Absent or not voting:

Senators Brower, Cassatt, Davidson, Dodge, Engle, Finn, Kent, McCoy, Parrott, Rich, Smith of Linn, Smith of Wright, Vale—13.

So the bill passed and the title was agreed to.

Senate file No. 160, a bill for an act to define the crime of extortion and usury, and to provide adequate punishment for violations, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and upon the adoption of the report of the committee the yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Caldwell, Cassatt, Clyde, Dungan, Gatch, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, McCoy, Mosnat, Parrott, Price, Reiniger, Schmidt, Seeds, Shields, Smith of Linn, Taylor, Woolson—25.

The nays were:

Senators Bailey, Barnett, Bayless, Bills, Bolter, Cleveland, Gobble, Mattoon, McVay, Meservey, Mills, Perkins, Stewart, Weidman, Wolfe—15.

Absent or not voting:

Senators Barrett, Brower, Davidson, Dodge, Engle, Finn, Funk, Rich, Smith of Wright, Vale—10.

So the report of the committee was adopted.

Senator Kelly filed the following:

MR. PRESIDENT—For the reason that this bill reduces the contract rate of interest to 6 per cent, I vote yea on the indefinite postponement of the bill.

M. J. KELLY, *Senator 25th District.*

Senator Schmidt moved to suspend the rule and take up for consideration Senate file No. 156, a bill for an act making further provision with respect to contracts by cities organized under special charters for paving and curbing streets, and the construction of sewers, and the making and collecting by such assessments, and the issuance of bonds or certificates by such cities to pay for such improve-

ments, with report of the committee recommending amendments and it do pass, which motion prevailed, and the bill was taken up and considered.

Senator Schmidt moved as a substitute for consideration House file No. 75, a bill for an act making further provision with respect to contracts by cities organized under special charters for paving and curbing streets and the construction of sewers, and the making and collection by such cities of assessments and the issuance of bonds or certificates by such cities to pay for such improvements.

Carried.

The bill was read first and second times, and Senator Shields 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Cleveland, Clyde, Dungan, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Schmidt, Seeds, Shields, Smith of Linn, Stewart, Taylor, Weidman, Wolfe—39.

The nays were—none.

Absent or not voting:

Senators Bolter, Cassatt, Davidson, Dodge, Engle, Finn, Funk, Rich, Smith of Wright, Vale, Woolson—11.

So the bill passed and the title was agreed to.

Senate file No. 254, a bill for an act to repeal section 1, chapter 163, of the laws of the Twentieth General Assembly, and to enact a substitute therefor, with report of the committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 71, a bill for an act to regulate the charges for transporting State troops, stores, materials, camp equipages, horses and arms, upon the railroads of this State, with report of the committee recommending that it be indefinitely postponed, was taken up, considered, and report of the committee was adopted.

Senate file No. 115, a bill for an act defining the liability of fire insurance companies in the state, with the report of the committee recommending that it be indefinitely postponed, was taken up and considered, and the report of the committee adopted.

Senate file No. 141, a bill for an act making the 12th day of February a legal holiday, and providing for its suitable observance by the public schools when in session, with report of the committee recom-

mending that it be indefinitely postponed, was taken up and considered, and the report of the committee adopted.

Senate file No. 47, a bill for an act to amend chapter 61 of the laws of the Twenty-second General Assembly, entitled an act to provide for the formation of independent school districts, with report of the committee recommending that it be indefinitely postponed, was taken up and considered, and the report of the committee adopted.

Senate file No. 216, a bill for an act to prevent champerty and maintenance in suits, with report of the committee recommending that it be indefinitely postponed, was taken up, considered, and report of the committee was adopted.

Senate file No. 193, a bill for an act to amend section 1, chapter 20, of the laws of the Thirteenth General Assembly, with report of the committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate file No. 240, a bill for an act to amend section 4062 of the Code of 1873, relative to Canada thistles, with report of the committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate file No. 48, a bill for an act to amend chapter 39, acts of the Fifteenth General Assembly, in relation to supervisor districts, with report of the committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate file No. 282, a bill for an act to amend section 1, chapter 63, laws of the Twenty-first General Assembly, relating to boards of supervisors, with report of the Committee recommending that it be indefinitely postponed, was taken up, considered, and on the adoption of the report of the committee, the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barrett, Bayless, Caldwell, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Lawrence, Mack, McCoy, Meservey, Parrott, Price, Reiniger, Schmidt, Seeds, Smith of Linn, Taylor—25.

The nays were:

Senators Ballingall, Bills, Bolter, Cassatt, Cleveland, Engle, Kelly, Kent, Mattoon, Mills, Perkins, Wolfe—12.

Absent or not voting:

Senators Barnett, Brower, Dodge, Kegler, McVay, Mosnat, Rich, Smith of Wright, Shields, Stewart, Vale, Weidman, Woolson—13.

So the report of the committee was adopted.

Senate file No. 76, a bill for an act to repeal section 307 of the Code, and enact a substitute therefor in relation to the publishing of the

proceedings of boards of supervisors, with report of the committee recommending that it be indefinitely postponed, was taken up, considered, and report of committee adopted.

Senate file No. 259, a bill for an act to repeal chapter 103, of the acts of the Twenty-first General Assembly, relating to release of judgments, mortgages and deeds of trust by administrators, executors and guardians, appointed in other States and countries, with report of the committee recommending that it be indefinitely postponed, was taken up, considered, and report of the committee adopted.

Senate file No. 142, a bill for an act to amend section 3173 of the Code, limiting the rights of appeal to the supreme court, with report of the committee recommending that it be indefinitely postponed, was taken up, considered, and report of the committee adopted.

House file No. 47, a bill for an act to legalize ordinances, resolutions and proceedings of the council of the incorporate town of Albion, Marshall county, 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, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dungan, Engle, Finn, Funk, Gobble, Groneweg, Harsh, Hanchett, Kegler, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Seeds, Shields, Smith of Linn, Stewart, Taylor, Weidman, Wolfe, Woolson—43.

The nays were—none.

Absent or not voting:

Senators Cassatt, Dodge, Gatch, Kelly, Schmidt, Smith of Wright, Vale—7.

So the bill passed and the title was agreed to.

Senate file No. 187, a bill for an act for the relief of Philip Raush, accompanied by petition, with report of the committee recommending indefinite postponement, was taken up and considered and the report of the committee adopted.

Senate file No. 308, a bill for an act to repeal chapter 111, laws of the Nineteenth General Assembly, with report of the committee recommending that it be indefinitely postponed, was taken up and considered and the report of the committee adopted.

Senate file No. 323, a bill for an act to amend section twenty hundred and seventeen (2017) of Code, with a report of a minority of

committee recommending that it be indefinitely postponed, was taken up and considered, and on motion of Senator Lawrence was recommended to Committee on Judiciary and retain its calendar number.

Senate file No. 314, a bill for an act to amend section two thousand and seventeen (2017) of chapter nine (9) of the Code of 1873, relative to landlords' liens, with report of a majority of committee recommending that it be indefinitely postponed, was taken up, considered, and re-referred to the Committee on Judiciary.

Senate file No. 54, a bill for an act to amend section two (2) chapter sixty-eight (68) of the acts of the Fifteenth General Assembly, fixing the maximum charge for the transportation of passengers on the different railroads of the State, with report of the committee recommending that it be indefinitely postponed, was taken up and considered, and the report of the committee adopted.

Senate file No. 22, a bill for an act to establish the rates of passenger fares on railroads within the State of Iowa, and to repeal section two (2), chapter sixty-eight (68), laws of the Fifteenth General Assembly, with report of the committee recommending that it be indefinitely postponed, was taken up and considered, and the report of the committee adopted.

Senate file No. 13, a bill for an act restraining railway corporations from limiting the life of railway mileage, with report of the committee recommending that it be indefinitely postponed, was taken up and considered and report of committee adopted.

Senate file No. 97, a bill for an act to prevent railway companies, operating railways in the State of Iowa, from compelling their employes to furnish at their own expense any uniform or equipments to be used in the performance of duty as such employes, and providing penalties for violations of the same, with report of a majority of committee recommending that it be indefinitely postponed, was taken up and considered and the report of committee adopted.

Senate file No. 309, a bill for an act to repeal section 2, of chapter 68, of the acts of the Fifteenth General Assembly, of the State of Iowa, and to amend said chapter 68, in relation to rates of passenger fares upon railroads, with report of the committee recommending that it be indefinitely postponed, was taken up, considered, and report of the committee adopted.

Senate file No. 96, a bill for an act to amend chapter 28, acts of the Twenty-second General Assembly, so as to secure joint rates between connecting lines of railroads in this State, with report of the committee recommending that it be indefinitely postponed, was taken up, considered, and report of the committee adopted.

Senate file No. 339, a bill for an act to amend section twenty-one hundred and seventy-seven (2177), of the Code of 1873, in relation to the time for charges on personal property, with report of the committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate file No. 93, a bill for an act to repeal section two (2), of chapter sixty-eight (68), laws of the Fifteenth General Assembly, of the State of Iowa, in relation to rates of fare upon railways, and to enact a substitute therefor, with report of the committee recommending that it be indefinitely postponed, was taken up and considered and the report of the committee adopted.

Senate file No. 169, a bill for an act to appropriate money to reimburse Seig and Size, of Linn township, Marshall county, Iowa, for horses condemned and killed as glandered horses, with report of committee recommending that it be indefinitely postponed, was taken up and considered and the report of the committee adopted.

Senate file No. 283, a bill for an act to repeal section 4018, chapter 9, title 24, of the Code, and chapter 195, of the acts of the Twentieth General Assembly, and to enact a substitute therefor, with report of the Committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate file No. 217, a bill for an act to provide for an emergency fund for the protection of the public health, with report of the committee recommending that it be indefinitely postponed, was taken up and considered and the report of the committee adopted.

Senate file No. 134, a bill for an act relating to the liability of mine operators for the negligence or wrongs of their employes, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate file No. 158, a bill for an act to prohibit fire insurance companies from pooling or using joint rates, without report of the committee recommending that it be indefinitely postponed, was taken up and considered and the report of the committee adopted.

Senate file No. 228, by request, a bill for an act authorizing mutual benefit associations, organized under the laws of the State of Iowa, and doing business upon the mutual assessment plan, to consolidate, and authorizing such associations, when having more than one division, to consolidate the same, with report of a majority of committee recommending that it be indefinitely postponed, was taken up and considered and the report of the committee adopted.

Senate file No. 332, a bill for an act to dispose of fines in penal cases in incorporated cities and towns, with report of the committee recom-

mending that it be indefinitely postponed, was taken up and considered and the report of the committee adopted.

Senate file No. 4, a bill for an act to provide for printing and distributing ballots at the public expense, and to regulate voting at State and other elections, with report of the committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate file No. 291, a bill for an act to protect stock breeders within the State of Iowa, with report of the committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate file No. 61, a bill for an act providing a plan whereby the people of an independent school district, or district township, may by a majority vote empower the directors to purchase school books in large quantities, thereby obtaining the same at the lowest possible price, and secure uniformity in text books in said school districts, with report of the committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate file No. 36, a bill for an act for the publication and distribution of school text books and to secure uniform text books in the common schools of the State of Iowa, with report of the committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate file No. 92, a bill for an act authorizing board of directors of any district township or independent school district to supply school books to the pupils free of cost, with report of the committee recommending that it be indefinitely postponed, was taken up and considered, and the report of the committee adopted.

Senate file No. 201, a bill for an act to repeal chapter 6, title 11 of the Code, and all acts and parts of acts amendatory or supplementary thereto, and to regulate the sale of intoxicating liquors, with report of the committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate file No. 57, a bill for an act to authorize the board of supervisors of any county to submit to the legal voters of any township, incorporated city or town, or city organized under special charter, the proposition whether or not a license for the sale of spirituous, malt or vinous liquors shall be granted, to establish rules, regulations and restrictions under which such liquors may be sold in townships, incorporated cities and towns, and cities organized under special charter, wherein the voters, by a majority vote, have declared in favor thereof; to fix the license fee for the privilege of selling liquors in such locali-

ties; and to provide for penalties and fines for any violations of the provisions of this act; to grant permits to druggists upon certain conditions, without license, and to repeal acts and parts of acts inconsistent with this act, including sections 1523, 1525, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558 and 1559 of the Code of 1873, and chapter 119 of the Seventeenth General Assembly, and chapter 82 of the Eighteenth General Assembly, and chapters 8 and 143 of Twentieth General Assembly, and chapters 66 and 113 of the Twenty-first General Assembly, and chapters 71, 72 and 73 of the Twenty-second General Assembly; also to permit persons to sell wine made from grapes grown, or raised upon land owned or occupied by them within the State of Iowa, in quantities of not less than one gallon, without paying a license therefor, with report of the committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

Senate file No. 246, a bill for an act providing for licensing and regulating or prohibiting the sale of intoxicating liquors in the State of Iowa, with the report of the Committee on Suppression of Intemperance, recommending that it be indefinitely postponed, was taken up, considered and the report of the committee adopted.

Senate file No. 111, a bill for an act amendatory of chapters 71 and 73 of the acts of the Twenty-second General Assembly, and to provide for local option in respect to manufacturing and selling intoxicating liquors, by permitting, under certain conditions, any city, town or township to vote for or against license, and providing for the granting of license for dram shops, and for the manufacture of such liquors respectively, in the respective cities, towns or townships which shall by vote of the electors thereof favor license, with report of the Committee on Suppression of Intemperance recommending that it be indefinitely postponed, was taken up, considered and the report of the committee adopted.

A memorial, from a convention of sheriffs, marshals and chiefs of police of Iowa, relative to certain amendments to the criminal laws of Iowa, with report of the Committee recommending that it be discharged from further consideration of the same, was taken up, considered and the report of the committee adopted.

House file No. 165, a bill for an act to legalize the acts of George E. Anderson, a justice of peace in and for Otter Creek township, Linn county, Iowa, with report of committee recommending that it do pass, was taken up and considered.

Senator Smith of Linn 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cleveland, Clyde, Dungan, Engle, Finn, Funk, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Reiniger, Schmidt, Seeds, Stewart, Smith of Linn, Taylor, Weidman, Wolfe, Woolson—39.

The nays were—none.

Absent or not voting:

Senators Brower, Cassatt, Davidson, Dodge, Gatch, Kelly, Price, Rich, Shields, Smith of Wright, Vale—11.

So the bill passed and the title was agreed to.

House file No. 155, a bill for an act to legalize the incorporation of the town of Paulina, O'Brien 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 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cassatt, Cleveland, Clyde, Dungan, Engle, Finn, Funk, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Smith of Linn, Stewart, Taylor, Weidman, Wolfe, Woolson—39.

The nays were—none.

Absent or not voting:

Senators Brower, Davidson, Dodge, Gatch, Kelly, Meservey, Mills, Mosnat, Shields, Smith of Wright, Vale—11.

So the bill passed and the title was agreed to.

Senate file No. 299, a bill for an act to legalize the incorporation of the town of Rock Valley, Sioux county, Iowa, with report of committee recommending that it do pass, was taken up.

HOUSE MESSAGES.

By unanimous consent the Senate took up House messages.

Senator Barrett moved to substitute consideration of House file No.

354, a bill for an act to legalize the incorporation of the town of Rock Valley, Sioux county, Iowa, the election of its officers, the official acts done and ordinances of said town, for Senate file 299, the bill under consideration.

Carried.

The bill was read first and second times, and Senator Barrett 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cassatt, Cleveland, Clyde, Dungan, Finn, Funk, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Schmidt, Seeds, Stewart, Taylor, Weidman, Wolfe, Woolson—37.

The nays were—none.

Absent or not voting:

Senators, Brower, Davidson, Dodge, Engle, Gatch, Kent, Lawrence, Mosnat, Rich, Shields, Smith of Linn, Smith of Wright, Vale—13.

So the bill passed and the title was agreed to.

Senate file No. 359, a bill for an act to punish certain officers of the law for not enforcing the law, with report of the majority of Committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate file No. 18, a bill for an act to better equalize taxation and instruct assessors in performing their duties, with report of the committee recommending that it be indefinitely postponed, was taken up and considered, and the report of the committee adopted.

Senate file No. 202, a bill for an act to amend section six (6) of chapter twelve (12), laws of the Eighteenth General Assembly, relating to the management of the permanent school fund, with report of the Committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 232, a bill for an act to amend chapter one hundred and eighty-five (185) of the acts of the Twentieth (20) General Assembly, and chapter one hundred and forty-nine (149) of the acts of the Twenty-first (21st) General Assembly, in relation to the inspection of illuminating oils, with report of the committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate file No. 180, a bill for an act to regulate and fix the rental for the use of telephones, and for labor and service charges for switching, construction and maintenance of telephone lines, batteries

and apparatus connected therewith, and fixing a penalty for its violation, with report of the committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate file No. 286, a bill for an act to exempt honorably discharged soldiers and sailors from payment of county poll tax, with report of the committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate file No. 264, a bill for an act requiring standard United States bunting flags to be placed on all school buildings in towns and cities of more than one thousand inhabitants, and providing for military instruction, with report of the committee recommending that it be indefinitely postponed, was taken up, and on motion of Senator Woolson was recommitted to Committee on Military and retain calendar number.

Senate file No. 40, a bill for an act to provide for printing and distributing ballots at the public expenses, and to regulate voting at State and other elections, with report of the committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate file No. 45, a bill for an act to provide for printing and distributing ballots at public expenses, to regulate voting at State and municipal elections, and to provide places in which to hold elections, with report of the committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate file No. 320, a bill for an act authorizing the taking of depositions by short-hand writers, with report of the committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate file No. 316, a bill for an act providing for the appointment of judges and clerks of election, and to repeal sections 606, 607 and 608 of the Code of 1873, with report of the committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate file No. 269, a bill for an act to amend section 4 and repeal section 5, as amended by chapter 42, acts of the Twenty-Second General Assembly, and section 6 of chapter 70, acts of the Twenty-first General Assembly, with the report of the committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate file No. 253, a bill for an act relating to the assessment of

property for the purpose of taxation, amendatory of chapter 1, title 6 of the Code, with report of a majority of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate file No. 263, a bill for an act to prevent fraudulent transfers of property by state and county officers, with the report of the committee recommending that it be indefinitely postponed, was taken up and considered, and the report of the committee adopted.

Senate file No. 198, a bill for an act to repeal section 1728 of the Code, and to enact a substitute for the same, relating to retrenchment and reform in the purchase of school text-books and supplies, and providing for the free use of the same in the public schools of the State, with report of the committee recommending that it be indefinitely postponed, was taken up and considered, and the report of the committee adopted.

Senate file No. 363, a bill for an act to legalize the organization of the independent district of Corwith, Iowa, and the acts of said district and its board of directors and officers, with report of committee recommending that it do pass, was taken up, and considered.
of the committee was adopted.

Senator Brower 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Clyde, Dungan, Engle, Finn, Funk, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Schmidt, Seeds, Shields, Stewart, Taylor, Weidman, Wolfe, Woolson—41.

The nays were—none.

Absent or not voting:

Senators Davidson, Dodge, Gatch, Lawrence, Mosnat, Rich, Smith of Linn, Smith of Wright, Vale—9.

So the bill passed and the title was agreed to.

Senate file No. 394, a bill for an act legalizing the electric light plant in the town of Montezuma, Iowa, and the ordinances authorizing its establishment and contracting for electric light for the streets of said city, with report of committee recommending amendments, and when adopted that it do pass, was taken up, considered, and the amendments recommended by the committee were adopted.

Senator Stewart 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Clyde, Dungan, Engle, Finn, Funk, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Schmidt, Seeds, Shields, Stewart, Taylor, Weidman, Wolfe, Woolson—41.

Absent or not voting:

Senators Davidson, Dodge, Gatch, Lawrence, Mosnat, Rich, Smith of Linn, Smith of Wright, Vale—9.

So the bill passed and the title was agreed to.

Senate file No. 293, a bill for an act legalizing the electric light plant in the town of Bloomfield, Iowa, and the ordinances authorizing its establishment, and contracting for electric light for the streets of said town, with report of committee recommending amendments and when adopted it do pass, was taken up and considered, and the amendments recommended by the committee were 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cassatt, Clyde, Dungan, Funk, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Schmidt, Seeds, Shields, Stewart, Taylor, Weidman, Wolfe, Woolson—37.

The nays were—none.

Absent or not voting:

Senators Brower, Cleveland, Davidson, Dodge, Engle, Finn, Gatch, Lawrence, Mosnat, Rich, Smith of Linn, Smith of Wright, Vale—13.

So the bill passed and the title was agreed to.

Senate file No. 281, a bill for an act to repeal chapter 5, title 25, of the Code of Iowa, and chapter 69, of the Sixteenth General Assembly, and to define who are vagrants and to punish vagrants, with the report of the committee recommending that it be indefinitely postponed, was taken up and considered, and the report of committee adopted.

Senate file No. 171, a bill for an act amendatory of chapter 36, acts of the Nineteenth General Assembly, in relation to the practice

of dentistry in the State of Iowa, with report of the committee recommending that it be indefinitely postponed, was taken up and considered, and the report of the committee was adopted.

Senate file No. 375, a bill for an act to prohibit the location of cemeteries within the limits of incorporated cities and towns, with report of the committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate No. 182, a bill for an act to repeal chapter eighty of the acts of the Twenty-second General Assembly, and enact a substitute therefor relating to the prevention of fraud in the sale of flour and other mill products, with report of the committee recommending that it be indefinitely postponed, was taken up, considered and the report of the committee adopted.

Senate file No. 140, a bill for act for the inspection of steam boilers and stationary, portable and traction engines, and licensing engineers thereof, with report of the Committee on Commerce recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate file No. 156, a bill for an act making further provision with respect to contracts by cities organized under special charters for paving and curbing streets, and the construction of sewers, and the making and collecting by such assessments, and the issuance of bonds or certificates by such cities to pay for such improvements, with report of committee recommending that it do pass, was taken up, considered, and on motion of Senator Schmidt was indefinitely postponed.

A memorial, from a convention of sheriffs, marshals and chiefs of police of Iowa, relative to certain amendments to the criminal laws of Iowa. Committee on Judiciary recommended that it be discharged from further consideration of the same. So ordered.

On motion of Senator Seeds the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, April 1, 1890. }

The Senate met in regular session at 10 o'clock A. M.

Lieut. Gov. Poyneer in the chair.

Prayer by Rev. Dr. Brush, president of South Dakota University, Mitchell, Dakota.

The hour having arrived for the consideration of the special order, it being Senate file No. 168, a bill for an act to establish and maintain a normal school at Algona, Kossuth county, Iowa, with report of the Committee on Educational Institutions recommending that it do pass, was taken up, and on motion of Senator McCoy, was postponed to allow bills to be made special orders and the Senate to take up House message.

On motion of Senator Parrott, Senate file No. 397, a bill for an act to provide for the establishment of a State board of control of State institutions, defining its powers and duties, and to abolish boards of trustees and commissioners of certain State institutions, was taken up and recommitted to the Committee on Ways and Means.

On motion of Senator Bayless, Senate file No. 60, a bill for an act to repeal chapter 69, laws of the Sixteenth General Assembly, and to enact a substitute therefor, relating to vagrants, with report of the committee recommending a substitute and that it do pass, was taken up and made a special order for Thursday at 10:30 A. M.

On motion of Senator Barrett, House file No. 25, a bill for an act requiring all railroads, corporations, companies and persons operating a railroad and doing business in Iowa to equip all their engines and cars with proper, efficient and safe automatic couplers and brakes, and for prescribing penalties for the failure thereof, with report of committee recommending that it do pass, was made a special order for 3 o'clock P. M. to-day.

On motion of Senator Kegler, Senate file No. 74, a bill for an act to repeal chapter fifty nine (59) of the Seventeenth (17) General Assembly, in relation to the taxation of telegraph and telephone lines, and to enact the following in lieu thereof, with report of a majority of the committee recommending that it do pass, was taken up and made a special order for 4 o'clock P. M. to-day.

On motion of Senator Schmidt, Senator file No. 336, a bill for an act to regulate the sale and manufacture of intoxicating liquors in municipal corporations, with report of a majority of committee recommending that it do pass, was taken up and made a special order for Monday, April 7th, at 2 o'clock p. m.

On motion of Senator Davidson, Senate file No. 365, a bill for an act limiting the size of screens to be used in the screening of coal at the coal mines of the State and fixing the weights to be used, with report of the committee recommending substitute and when adopted it do pass.

Also:

Senate file No. 14, 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 operators of coal mines and their employees, with report of the committee recommending that it be placed on the calendar following substitute for Senate file No. 365, and if said substitute fail to pass Senate that this bill do pass.

Also:

Senate file No. 9, a bill for an act to amend chapter 54 of the acts of the Twenty-second General Assembly, providing for weighing coal at mines, with report of the committee recommending that it be placed on calendar following substitute for Senate file No. 365 and Senate file No. 14, and if neither of said bills pass the Senate that it do pass, were taken up and were made a special order for Wednesday, April 9, at 10:30 a. m.

Senator Dodge moved that Senate file No. 292, a bill for an act to provide for printing and distributing ballots at the public expense and to regulate voting at State and other elections, with report of the committee recommending substitute and when adopted it do pass, be taken up and made a special order for Tuesday, April 8th at 3 o'clock, p. m.

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Barnett, Bayless, Bills, Bolter, Cassatt, Cleveland, Davidson, Dodge, Dungan, Engle Finn, Funk, Gobble, Grone-weg, Hanchett, Harsh, Kegler, Kelly, Kent, Mack, Mattoon, McVay, Meservey, Mills, Mosnat, Perkins, Seeds, Smith of Linn, Taylor, Vale, Weidman, Wolfe—33.

The nays were:

Senators Bailey, Brower, Caldwell, Clyde, McCoy, Parrott, Smith of Wright—7.

Absent or not voting:

Senators Barrett, Gatch, Lawrence, Price, Reiniger, Rich, Schmidt, Shields, Stewart, Woolson—10.

So the motion was carried.

HOUSE MESSAGES.

House file No. 434, a bill for an act to legalize the incorporation of the town of Guthrie Center, Guthrie county, Iowa, the election of its officers, and all of the acts and ordinances of said town.

Read first and second times and referred to the Committee on Judiciary.

House file No. 343, a bill for an act to legalize the incorporation of the town of Hartley, county of O'Brien, and state of Iowa.

Read first and second times and referred to the Committee on Judiciary.

House file No. 416, a bill for an act to legalize the extension of Benz street, in the incorporated town of Lawler, in Chickasaw county, Iowa.

Read first and second times and referred to the Committee on Judiciary.

House file No. 331, a bill for an act to legalize the incorporation of the town of Casey, Guthrie county, Iowa, the election of its officers, and all the acts done 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. 263, a bill for an act legalizing the revised ordinances of the city of Independence, in Buchanan county.

Read first and second times and referred to the Committee on Judiciary.

House file No. 174, a bill for an act for the punishment of pools, trusts, combinations and conspiracies, and as to evidence in such cases.

Read first and second times and referred to the Committee on Labor.

House file No. 265, a bill for an act to permit the Independence & Rush Park Railway Company to pass over the grounds of the State used for the hospital for the insane at Independence, Iowa.

Read first and second times and referred to the Committee on Judiciary.

House file No. 464, a bill for an act legalizing the electric light plant in the town of Bloomfield, Iowa, and the ordinances authorizing its establishment and contracting for electric light for the streets of said town.

Read first and second times, and referred to the Committee on Judiciary.

House file No. 302, a bill for an act to legalize the organization of the Des Moines Conference of the Evangelical Association of Iowa.

Read first and second times and referred to the Committee on Judiciary.

House file 383, a bill for an act to punish fraud, misrepresentation and deception in the sale of fruit, shade or ornamental trees, vines, shrubs, plants, bulbs and roots, and as to damages therefor.

Read first and second times and referred to the Committee on Commerce.

House file No. 365, a bill for act to legalize the incorporation and official proceedings of the town of Dyersville, in the county of Dubuque and State of Iowa.

Read first and second times and referred to the Committee on Judiciary.

House file No. 268, a bill for an act to legalize the incorporation of the town of Gilmore City, in Humboldt and Pocahontas counties, Iowa, and a subsequent annexation thereto, and the ordinances and official acts of the town council thereof.

Read first and second times and referred to the Committee on Judiciary.

On motion of Senator Dungan the Senate took up for consideration the House concurrent resolution relative to the Myers and Rhines voting machine, and the resolution was adopted.

REPORTS OF COMMITTEES.

MR. PRESIDENT—Your joint committee under concurrent resolution to ascertain amount of mileage and expenses of members of committee visiting various State institutions, respectfully beg leave to report that we find such accounts to be as follows:

Agricultural College, Ames:

J. H. Smith.....	\$ 4.60
Allen Smith.....	3.85
J. G. Thornburg.....	5.25
Total.....	\$ 13.70

Benedict Home, Des Moines:

Wm. G. Kent.....	No charges
Wm. A. Davie.....	\$ 1.30
B. B. Lane.....	1.25
Total.....	\$ 2.55

College for the Blind, Vinton:

E. E. Mack.....	\$ 17.85
J. F. Holiday.....	19.20
C. G. Gitchell.....	Absent
Total.....	\$ 37.05

Fish Hatching House, Spirit Lake:

James H. Barnett.....	\$ 27.00
Wm. H. McFarland.....	26.50
Ed. C. Russell.....	30.50
Total	\$ 84.00

Hospital for the Insane, Mt. Pleasant:

T. J. Caldwell.....	\$ 18.80
J. T. Young	14.40
L. A. Mitchell....	14.40
Total.....	\$ 47.60

Hospital for the Insane, Independence:

L. B. Mattoon	\$ 21.33
J. R. Shipley.....	21.33
J. M. Johnston....	21.33
Total.....	\$ 63.99

Hospital for the Insane, Clarinda:

F. D. Bayless.....	\$ 25.50
J. W. Luke.....	25.50
J. L. Woods.....	25.50
Total.....	\$ 76.50

Penitentiary at Anamosa:

L. S. Hanchett.....	\$ 23.10
H. B. Wyman.....	23.10
N. B. Neumers.....	23.10
Total	\$ 69.30

Penitentiary at Ft. Madison:

J. D. McVay	24.50
W. W. Morrow.....	24.50
W. H. Chamberlin.....	24.50
Total.....	\$ 73.50

Soldiers' Home, Marshalltown:

N. V. Brower	\$ 11 35
John Law.....	7.50
M. Ewart.....	6.80
Total	\$ 25.65

Orphans' Home, Davenport:

E. P. Seeds.....	\$ 22.00
J. A. Smith	22.00
Ed. Hart.....	22.00
Total	\$ 66.00

Institution for the Deaf and Dumb, Council Bluffs:

O. M. Barrett.....	\$ 18 00
E. L. Hobbs.....	16.00
B. Graesser.....	16.00
Total	\$ 50.00

Normal School, Cedar Falls:

G. W. Perkins.....	\$ 13.00
H. L. Byers.....	13.00
N. B. Holbrook.....	13.00
Total	\$ 39.00

Institution for Feeble Minded Children, Glenwood:

A. B. Funk.....	\$ 25.00
F. M. Kyte.....	20.00
F. F. Roe.....	21.50
Total.....	\$ 66.50

State University, Iowa City:

Richard Price....	\$ 22.50
J. E. Blythe.....	22.50
R. W. Briggs.....	22.50
Total	\$ 67 50

Industrial School, Eldora:

P. B. Wolfe.....	\$ 12.75
G. W. Ball.....	11.00
Wm. Glatly.....	12.00
Total	\$ 35.75

Industrial School, Mitchellville:

Jno. M. Gobble.....	\$ 4.70
John Dolph	2.20
W. J. Felkner.....	2.20
Total.....	\$ 9.10

A. K. BAILEY,
J. J. MOSNAT,
On the part of Senate.
GERHARD EILERS,
S. W. SORSBE,
On the part of House.

Senator Davidson, 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:

Senate file No. 223, a bill for an act to provide for temporarily filling vacancy in the office of county recorder.

Also: Senate file No. 51, a bill for an act for the protection and preservation of fish, and repealing sections 1, 2, 3, 4, 6, 7, 8, 9, 10 and 11 of chapter 50, acts of the 15th General Assembly; chapter 70, acts of the 16th General Assembly; sections 3, 5, 6, 7 and 8 of chapter 80, acts of the 17th General Assembly; chapter 92, acts of the 18th General Assembly, and chapter 9, acts of the 20th General Assembly.

Also: House file No. 55, an act to amend section one (1) of chapter seventeen (17), Laws of the Twenty-second General Assembly.

D. B. DAVIDSON, *Chairman.*

The Senate resumed consideration of the special order, it being Senate file No. 168, a bill for an act to establish and maintain a normal school at Algona, Kossuth county, Iowa, with report of the committee recommending that it do pass.

Senator McCoy moved the following amendment: Strike out all after the enacting clause and insert:

SECTION 1. That three schools for the instruction and training of teachers for the common schools of Iowa are hereby established in and for the State of Iowa.

SEC. 2. The schools shall be under the management of the board of directors, and their successors in office, provided for in chapter 129 of the laws of the Sixteenth General Assembly, as amended, and said board shall have the same powers and qualifications, and perform the same duties, and shall be subject to the same restrictions. Three additional directors shall be appointed by the executive council for two years, one of whom shall be a resident of each of the counties in which the respective schools are located, and who shall act as members of said board in all matters relating to the schools provided for in this act, for their respective localities only.

SEC. 3. The board of directors shall convene at the call of the president of the board, within twenty days from the final location of the schools, and shall provide

for the management of each school as contemplated by this act, managing the schools in harmony with each other to best subserve the educational interests of the State at large and their respective localities. They shall also elect a secretary and treasurer for each of the schools, to perform the appropriate duties of those offices, who shall not be members of the board, and who shall receive such annual compensation as shall be fixed by the board, not to exceed the sum of \$100 each. The secretary and treasurer shall hold their respective offices for the term of one year. Such schools shall be conducted in the buildings now occupied by schools, or buildings to be provided entirely by the citizens of the localities in which they are located, or by the city or county in which each is located, without expense to the State. The buildings in which said normal schools are to be conducted, with grounds belonging thereto, shall be leased and delivered to the State of Iowa for such purpose, free of rent, for the term of two years from July 1, 1890, with privilege of renewal. The pupils shall pay a fee for contingent expenses, amounting to not more than one dollar per month. The school shall be open during such part of each year, after the first day of September, A. D. 1890, as the board may determine, but the session shall continue at least twenty-six weeks.

SEC. 4. Said schools shall be located by a commission, to be appointed by the governor, to consist of one member from each congressional district, no more than six of whom shall belong to the same political party, and no one of whom shall be a resident of any county in which is situated any other state institution. The appointment of commissioners shall be made within ten days from the approval of this act, and on the third Tuesday thereafter said commissioners shall assemble at the capitol, at Des Moines, for the purpose of locating said normal schools, and after having first taken the oath of office prescribed by statute, shall organize by selecting from their number a chairman and a secretary; and a correct record of all proceedings and all votes shall be kept, and certified by said chairman and secretary to the governor. Said commissioners, if deemed best, shall hear representatives of the different localities that are candidates for the location of normal schools, and all necessary care shall be taken to locate the schools to the best interests of the people of the State of Iowa. But not later than twenty days after the assembling of said commissioners as prescribed, said commissioners as prescribed, said commissioners shall proceed to determine by vote the location for one of the said normal schools, and balloting shall continue until a majority of all the votes cast are cast for one locality; provided a majority decision is reached by the twentieth ballot; otherwise the place receiving the lowest number, or places receiving the lowest, and an equal number of votes upon the twenty-first ballot, shall be dropped on the next succeeding ballot, provided if two or more of the places having the lowest number have an equal number of votes, then the commission shall vote to decide which shall be dropped until another ballot is taken, and this same provision shall obtain in the succeeding ballots, and balloting shall continue under this provision until some one place shall receive a majority of the votes of all of the commissioners, which place shall be declared the location for one of said normal schools. The same procedure shall also determine the location of the other two schools respectively. This action shall then be certified to the governor as provided for in this section. *Provided*, that no location shall be so certified until the lease to the buildings and grounds necessary for the accommodation of said contemplated normal school is vested in the State of Iowa, free of incumbrance and without cost to the State, for the period of two years, as otherwise provided, by conveyances, to be approved by the attorney-general. Said conveyances shall not be made later than Sept. 1, 1890. Upon the final location of the three schools the governor shall dissolve said commission.

Said commissioners, while in the actual discharge of their duty under this act, shall receive as compensation five dollars per day and actual expenses each, and ten cents per mile for the actual number of miles traveled in reaching the capitol.

SEC. 5. The sum of thirty-six thousand dollars is hereby appropriated for the establishment and maintenance of the three schools provided for by this act, during the two years immediately following the passage of this act. Said appropriation to be equally divided among the three schools.

For salaries of teachers and employes.....	\$ 30,000
For contingent expenses.....	6,000

The amount appropriated may be paid at any time upon the order of the board; provided, that no part of this appropriation shall be drawn for either school until the said school is in operation, and then not more than half the amount shall be drawn during any one year.

SEC. 6. The said board shall make, at the end of each school year, to the governor, a detailed report of their proceedings during the year. Their report shall also contain the number of teachers employed in the schools, with the compensation of each; the number of pupils, classified; the amount of receipts and expenditures, and the items thereof, with such other information and recommendations as they may deem expedient, which report shall be embodied in the superintendent's report to the General Assembly.

SEC. 7. This act being deemed of immediate importance, shall be in force from and after its publication in the *Iowa State Register* and the *Des Moines Leader*, newspapers published at Des Moines, Iowa.

Senator Taylor moved the following amendment to the amendment:

Strike out all after the enacting clause and insert the following:

SECTION 1. That the sum of twenty-eight thousand dollars is hereby appropriated to aid in the payment of normal instruction in the following private normal schools, to-wit: The sum of two thousand dollars annually to the Northwestern Normal Institute at Lemars, Plymouth county. The sum of two thousand dollars annually to the Northern Iowa Normal School at Algona, Kossuth county. The sum of two thousand dollars annually to the Decorah Institute, at Decorah, Winneshiek county. The sum of two thousand dollars annually to the Eastern Iowa Normal School at Columbus Junction, Louisa county. The sum of two thousand dollars to the Dexter Normal School, at Dexter, Dallas county; the sum of two thousand dollars annually to the Normal and Scientific Institute at Bloomfield, Davis county; and the sum of two thousand dollars annually to the Western Normal College at Shenandoah, Page county.

SECTION 2. The person, persons or corporations managing these private normal schools shall properly, furnish, equip and if necessary enlarge and repair the buildings and supply them with everything needful for the success of such institutions without any aid from the State.

SECTION 3. These private normal schools shall employ or keep employed no instructors in their normal departments except such as, by a diploma from a recognized college or normal school, or by a State certificate, show evidence of proper scholarship or render proof of eminent success in the teacher's profession.

SECTION 4. The above schools shall not be denominational in any sense.

SECTION 5. The State Superintendent of Public Instruction, and two other persons to be chosen by the General Assembly, shall constitute a Board of Normal Regents of these schools of which board the State Superintendent shall be president.

SECTION 6. The Board of Normal Regents shall have the power to grant the annual State appropriations to these normal schools, to examine them as to their course of study, their nature and influence, the qualifications and their instructors and their success as the proper training of teachers for the public schools. The members of this board shall receive no other compensation except the re-imbursement of their actual expenses while engaged in their official duties.

SECTION 7. The Normal Board of Regents shall elect a secretary who shall be especially qualified as to normal instruction and who shall act as their agent and examine the normal work in these schools. He shall annually, or as often as the board may require, render a full and complete report of the normal instruction, the success and condition of these normal schools. For his services he shall receive the sum of five dollars a day and expenses while performing the duties required by the board.

SEC. 8. The appropriations to the private normal schools shall be paid by the State Treasurer upon a written warrant of the Board of Normal Regents, drawn and signed by their secretary and approved by the president of the board, in quarterly payments, to each school, five hundred dollars.

Five hundred dollars.

Five hundred dollars.

Five hundred dollars.

And each following year the same appropriation to each school, at the same dates the secretary of the board shall receive warrants for his service to be paid by State Treasurer.

SEC. 9. If any of the private normal schools does not do satisfactory work, or if it fails to comply with such rules of the Board of Regents as are necessary for the training of teachers, then the board shall after a careful investigation of the facts drop such institution from the list of those receiving State appropriation.

SEC. 10. Each of the private normal schools shall instruct annually, free from tuition, twenty-five pupils, all of whom shall be apportioned by the Board of Regents and appointed according to such rules as the board may establish.

SEC. 11. The graduates of the normal department of these private normal schools which shall entitle them to professional certificates from the county superintendents, and after two years successful teaching to State certificates.

SEC. 12. The course of study shall contain at least those branches required for a State certificate.

SEC. 13. All acts and parts of acts in conflict with this act are hereby repealed.

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 the Des Moines Leader, newspapers published at Des Moines, Iowa.

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Bolter, Cassatt, Dodge, Harsh, Mattoon, Perkins, Price, Taylor, Wolfe—10.

The nays were:

Senators Bailey, Barnett, Barrett, Bayless, Bills, Brower, Caldwell,

Cleveland, Clyde, Davidson, Dungan, Engle, Finn, Funk, Gatch, Goble, Groneweg, Hanchett, Kegler, Kelly, Kent, Lawrence, Mack, McCoy, McVay, Meservey, Mills, Parrott, Reiniger, Schmidt, Seeds, Smith of Linn, Smith of Wright, Stewart, Vale, Weidman, Woolson—37.

Absent or not voting:

Senators Mosnat, Rich, Shields—3.

So the amendment to the amendment was lost.

Senator Harsh filed the following explanation of his vote:

MR. PRESIDENT—My idea is that the State should not provide for building additional normal schools. I fully believe in special training for teachers, but think private enterprise will furnish such training under favorable conditions. I would raise the standard (if not now sufficiently high) of the work at Cedar Falls, and when the standard then is reached by schools not operated by the State, I would place their graduates on same footing as the graduates of the State Normal School. By such plan no financial aid to the outside schools would, in my judgment, be necessary. I vote "aye" on this question because it tends in the direction indicated.

J. B. HARSH, *Senator Fifth District.*

The question now being on the adoption of the amendment offered by Senator McCoy.

Senator Seeds moved to strike out the word "three" in line one, of section one, of the substitute and insert the word "one" in lieu thereof. On this the yeas and nays were demanded.

Pending which, the president announced as the joint committee on the part of the Senate, relative to a review of the G. A. R., Senators Brower and Bayless.

The journal of yesterday was corrected and approved.

REPORTS OF STANDING COMMITTEES.

Senator Woolson, from the Committee on Judiciary, submitted the following reports:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 399, a bill for an act to legalize the official acts of N. S. Paull, as acting deputy recorder of 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 do pass.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 351, a bill for an act to amend section 4109 of the Code, relative to the term magistrate and his powers, peace officers, and of justice and complaint, 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. 391, a bill for an act to legalize the acts of the township and county canvassing boards in reference to additional justices of the peace and additional constables, and the official acts of officers acting in pursuance of the results declared by said canvassing boards, beg leave to report 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 as follows: "A bill for an act relating to certain additional justices of the peace and constables, legalizing their official acts and the official acts of canvassing boards with reference 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 Senate file No. 38, a bill for an act to provide for the listing and assessment for taxation of the shares of capital stock of banks organized under the laws of this State, together with the various amendments pending at the time the bill was so referred to the committee, beg leave to report 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 by striking out of said bill all after the enacting clause and inserting the following, "Section 1. All shares of the capital stock of banking associations organized under the general incorporations laws of this State, known as State or commercial banks, shall be assessed to such banks in the city or town wherein located and not to the individual shareholders." Amend the title so that the same shall read, "A bill for an act to provide for assessment for taxation of the shares of capital stock of banking associations organized under the general incorporation laws of this State," and that as so amended the bill do pass.

Your committee further report that the sole object of this bill appears to be to so amend the present statutes with reference to State banks, commonly so-called, that the taxes levied against them shall be payable in the city or town where the banking business was done, and thus to conform the taxation of such banks to the statutes and practice on this point now in operation in this State against national banks and savings banks.

Your committee find it impracticable without completely changing the intent and scope of the bill to so amend this bill as to provide for taxing surplus of all banks, and your committee therefore instructed a sub-committee of its own membership, to frame a bill having special reference to taxing the surplus of all banks doing business in this State, which your committee hopes to report to-morrow. Respectfully submitted.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

The Senate adjourned.

AFTERNOON SESSION.

Senate met in regular session at 2 o'clock P. M.

Lieutenant-Governor Poyneer in the chair.

The Senate resumed consideration of the special order, it being Senate file No. 168, a bill for an act to establish and maintain a normal school at Algona, Kossuth county, Iowa, with report of the committee recommending that it do pass, and was postponed to allow bills, petitions, etc., to be introduced.

PETITIONS AND MEMORIALS.

Senator Gatch presented petition of Des Moines Ministerial Association in favor of the retention of the present prohibitory liquor law.

Referred to Committee on Suppression of Intemperance.

Senator Wolfe presented petitions of A. L. Paschal, C. L. Root and A. R. Oanly, and 208 other republican voters of Clinton, Lyons and De Witt, asking for modification of the prohibitory liquor law.

Referred to Committee on Suppression of Intemperance.

Senator Meservey presented petition of Geo. A. Johnson and thirty-one other citizens of Cherokee county, asking for change in the exemption laws.

Referred to Committee on Judiciary.

Senator Davidson present petition of E. Metcalf and 39 other adult citizens of Boone, Iowa, asking for equal political rights for all citizens, irrespective of sex.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Mattoon presented petition of Brush Creek post, No. 258, G. A. R., of Brush Creek, Fayette county, Iowa, against soldiers' monument.

Referred to Committee on Appropriations.

Senator Gatch presented petition of 651 citizens of Polk county opposed to State uniformity, State contract, State commission, and in favor of local option and free text-books.

Referred to Committee on Schools.

Senator Baily presented petition as follows:

To the General Assembly of the State of Iowa:

In behalf of the Iowa State Teachers' Association, we beg leave to call the attention of your honorable body to the importance of having the State of Iowa fully and creditably represented at the World's Fair soon to be held in the city of Chicago, not only in regard to all her general material interests, but also as to her educational facilities. Iowa has already attained the proud distinction of having the least percentage of illiteracy of any state in the union. Our commonwealth enjoys a high reputation for the excellent schools and educational advantages. We, as teachers, feel justly proud of the record of our State in these matters, and earnestly desire to keep abreast of the times in all that pertains to the educational interests of her citizens; we therefore respectfully ask that you make such provision for an educational exhibit at the World's Fair, as will fairly and fully represent the educational interests and facilities of our State. All of which is respectfully submitted.

JAS. McNAUGHTON,
President Iowa State Teachers' Association.

FRANK B. COOPER,
Chairman.

J. MACY,
J. F. RIGGS,
Executive Committee.

Referred to special Committee on World's Fair.

Senate Bolter presented petition of G. F. Umphalbaugh, R. B. Bonsteal and 65 other citizens of Harrison county, relating to uniformity of text-books.

Referred to Committee on Schools.

Senator McCoy presented petition of S. J. Dalton and 83 other business men of Oskaloosa, Iowa, in favor of locating normal schools by a commission.

Referred to Committee on Educational Institutions.

Senator Weidman presented petition of Linn Alliance No. 1168, Montgomery county, Iowa, asking for the State series of text-books for use of the common schools of the State.

Referred to Committee on Schools.

Senator Weidman presented petition of 28 business men of Red Oak, against the bill in reference to inspection of steam boilers.

Referred to the Committee on Commerce.

Senator Harsh presented petition of Col. John O. Keafee and 87 other republican business men of Creston, asking modification of the present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Seeds presented petition of Anna M. Hartsorn, of Delaware county, and 66 other citizens in favor of woman suffrage.

Referred to Committee on Constitutional Amendments and Suffrage.

Senator Price presented petition of J. H. Crowley, A. M. Hadley and 30 other citizens of Eureka township, Adair county, asking State uniformity in school books and the passage of Senate file 35, referring to the innocent purchaser of negotiable paper.

Referred to Committee on Schools.

Senator Davidson presented petition of David Knox and 27 others of Boone, asking for the passage of Senate files No. 72 and 134, relating to semi-monthly payments and liabilities of mine owners.

Referred to Committee on Mines and Mining.

Senator Bayless presented petition of Hon. John Killen, Mrs. C. Luce and 76 other residents of Clayton county, asking the repeal of 3861 of the Code, relating to the age of consent by females and to raise the age.

Referred to Committee on Charitable Institutions.

Senator Bayless presented petition of Herman Ihm and 35 other republican voters of Clayton county, asking for a modification of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Kent presented petition of W. E. Harrison, G. D. Rand and 109 other republicans, asking for modification of prohibitory law. Also, Maragret Ballou and J. N. Ballou and 48 others against the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Groneweg presented petition of F. H. Hill, A. W. Coffman and 70 other republicans of Council Bluffs and Avoca, asking for modification of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Engle presented petition of G. Hoder, J. N. Chipps, E. S. Salmon Kelley and 205 others, of voters and adult women of Jasper county, against repeal of present prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator McVay presented petition of W. Gray and 8 other citizens of Lehigh, Webster county, asking for universal suffrage, regardless of sex.

Referred to Committee on Constitutional Amendments and Suffrage.

INTRODUCTION OF BILLS.

By Senator McCoy, Senate file No. 406, a bill for an act to provide for a semi-centennial compilation of the statistics showing the growth and resources of the State of Iowa.

Read first and second times and referred to the Committee on Printing.

By Senator Harsh, Senate file No. 407, 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 Mack, Senate file No. 408, a bill for an act to legalize the incorporation of the town of Sioux Rapids and its ordinances, and the acts of its officers thereunder.

Read first and second times, and referred to the Committee on Judiciary.

By Senator Mack, Senate file No. 409, a bill for an act to require the execution of every mortgage on conditional conveyance of personal property, exempt from execution, by a married person, to be signed and acknowledged by both husband and wife.

Read first and second times and referred to the Committee on Judiciary.

By Senator Weidman, Senate file No. 410, a bill for an act to amend chapter 25, of the laws of the 14th General Assembly, entitled an act for the encouragement of horticulture and forestry.

Read first and second times and referred to the Committee on Horticulture and Forestry.

By Senator Wolfe, Senate file No. 411, a bill for an act to legalize the incorporation of the town of Grand Mound, Clinton 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 Judiciary.

By Senator McVay, Senate file No. 412, a bill for an act to legalize the proceedings of the board of supervisors of Calhoun county, in locating and constructing ditches in said county, and in assessing the costs thereof on the lands benefited thereby.

Read first and second times and referred to the Committee on Judiciary.

By Senator Caldwell, Senate file No. 413, a bill for an act to repeal section 963 of the Code of 1873, laws of Iowa, and to provide a substitute therefor.

Read first and second times and referred to the Committee on Judiciary.

On motion of Senator Parrott, Senate file No. 77, a bill for an act to provide for the establishment of a board of supervision of State institutions and offices, was taken up and recommitted to the Committee on Ways and Means.

RESOLUTIONS.

Senator McCoy offered the following:

Resolved, That on Thursday, April 10th, House files which have been reported back with the recommendation that they do pass with or without amendments, shall be made a special order for said day in the order in which they appear on the calendar.

Adopted.

Senator Taylor offered the following:

Resolved, By the Senate, that an evening session be held Wednesday evening next at 7:30, for the purpose of taking up legalizing acts, bills recommended for indefinite postponement where there is no objection, and resolutions and bills strictly local or private.

The hour having arrived for consideration of the special order, it being Senate file No. 244, 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, with report of the committee recommending amendments, and that it do pass, was taken up, and on motion of Senator McCoy, was postponed until the special order, which had been interrupted by introduction of bills, be disposed of.

The Senate resumed consideration of the resolution by Senator Taylor.

Senator Reiniger moved to amend by adding the words "bills not made a special order."

Lost.

The question now being on the adoption of the original resolution it was adopted.

Senator Reiniger offered the following:

Resolved, That the Committee on Charitable Institutions be, and are hereby requested to inquire into the propriety and desirability of authorizing or directing the transfer of children in the Orphans' Home, to the homes of respectable families in this State, who are willing to take them on proper terms and conditions, and to report at an early day by bill or otherwise.

Passed over under the rule.

The Senate resumed consideration of the special order, it being Senate file No. 168, a bill for an act to establish and maintain a normal school at Algona, Kossuth county, Iowa, with report of the committee recommending that it do pass.

The question being on the adoption of the amendment offered by Senator Seeds.

Senator Bolter moved to postpone further consideration of this matter until one week from to-day.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bolter, Cassatt, Engle, Finn, Groneweg, Kegler, Mattoon, Price, Taylor—10.

The nays were:

Senators Bailey, Ballingall, Barrett, Bayless, Bills, Brower, Caldwell, Cleveland, Clyde, Dodge, Dungan, Funk, Gatch, Gobble, Hanchett, Harsh, Kelly, Kent, Lawrence, Mack, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Reiniger, Rich, Schmidt, Seeds, Smith of Wright, Stewart, Vale, Weidman—35.

Absent or not voting:

Senators Davidson, Shields, Smith of Linn, Wolfe and Woolson—5.

So the motion was lost.

Senator Finn moved to recommit the bill to the Committee on Educational Institutions.

Lost.

The question now being on the adoption of the amendment offered by Senator Seeds.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Clyde, Groneweg, Kelly, Seeds, Wolfe, Woolson—7.

The nays were:

Senators Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Dungan, Engle, Finn, Funk, Gatch, Gobble, Hanchett, Harsh, Kegler, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Price, Reiniger, Schmidt, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman—37.

Absent or not voting:

Senators Davidson, Dodge, Parrott, Perkins, Rich and Shields—6.

So the amendment was lost.

The question now being on the adoption of the amendment offered by Senator McCoy.

Pending which, the hour having arrived for the consideration of the special order, it being Senate file No. 74, a bill for an act to repeal chapter fifty-nine (59), of the Seventeenth (17) General Assembly, in relation to the taxation of telegraph and telephone lines, and to enact the following in lieu thereof, with report of majority of the Committee recommending that it do pass, was taken up and on motion of Senator Kegler, was postponed and made a special order for 11 o'clock A. M., to-morrow.

The Senate resumed consideration of special order, it being Senate file No. 168, a bill for an act to establish and maintain a normal school

at Algona, Kossuth county, Iowa, with report of the committee recommending that it do pass.

The question being on the adoption of the amendment offered by Senator McCoy.

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Barnett, Barrett, Bills, Bolter, Caldwell, Cassatt, Cleveland, Dungan, Engle, Finn, Gobble, Groneweg, Hanchett, Harsh, Kegler, Lawrence, Mack, Mattoon, McCoy, Meservey, Price, Stewart, Taylor, Weidman—25.

The nays were:

Senators Bailey, Bayless, Brower, Clyde, Davidson, Dodge, Funk, Gatch, Kelly, Kent, McVay, Mills, Mosnat, Perkins, Reiniger, Rich, Schmidt, Seeds, Smith of Linn, Smith of Wright, Vale, Wolfe—22.

Absent or not voting:

Senators Parrott, Shields, Woolson—3.

So the amendment was adopted.

Senator McCoy moved to strike out the preamble of the bill.

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 Ballingall, Barnett, Bills, Cleveland, Dodge, Dungan, Gatch, Hanchett, Kegler, Kelly, Mack, Meservey, Stewart, Vale, Weidman—15.

The nays were:

Senators Bailey, Barnett, Bayless, Bolter, Brower, Caldwell, Cassatt, Clyde, Davidson, Engle, Finn, Funk, Gobble, Groneweg, Harsh, Kent, Lawrence, Mattoon, McCoy, McVay, Mills, Mosnat, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Smith of Linn, Smith of Wright, Taylor, Wolfe—32.

Absent or not voting:

Senators Shields, Parrott, Woolson—3.

So the bill was lost.

Senator McCoy filed the following:

I move a reconsideration of the vote by which the substitute for Senate file No. 168 was lost.

BILLS ON THIRD READING.

On motion of Senator Dodge the Senate took up bills on third reading.

Senate file No. 277, a bill for an act authorizing in certain cities a special tax for the grading of streets, was taken up and read a third time.

On the question shall the bill pass?

The yeas were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Brower, Cassatt, Cleveland, Davidson, Dodge, Dungan, Engle, Finn, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Rich, Seeds, Smith of Linn, Taylor, Vale, Weidman, Wolfe—37.

The nays were:

Senator Price—1.

Absent or not voting:

Senators Bolter, Caldwell, Clyde, Funk, Mack, Mattoon, Reiniger, Schmidt, Shields, Smith of Wright, Stewart, Woolson—12.

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE.

The following messages were 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:

Concurrent resolution, in relation to G. A. R. reunion.

H. S. WILCOX, *Chief Clerk.*

Per S.

Also:

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:

H. F. No. 470, a bill for an act to authorize the auditor to credit Fremont county on account of school fund and county fund.

Also, that the House has passed the following bills:

S. F. No. 327, a bill for an act to legalize the proceedings of the board of supervisors of Johnson county, Iowa, in locating and causing to be constructed, a ditch in Fremont township in said county, known as the Walker ditch, and to provide for an assessment and levy of the costs and expenses thereof, on the lands benefited thereby.

S. F. No. 326, a bill for an act to legalize the proceedings of the board of supervisors of Johnson county, Iowa, in locating and causing to be constructed a ditch in Fremont township in said county, known as the Alcock ditch, and to provide for an assessment, and levy of the costs and expenses thereof, on the lands benefited thereby.

Senate file No. 5, a bill for an act to recognize and establish labor day, being the second day of September, as a legal holiday. Passed with amendments.

Also, Senate file No. 322, a bill for an act to amend section one (1), chapter thirty-two (32), laws of the 18th General Assembly of the State of Iowa.

H. F. No. 169, a bill for an act to legalize the levy of certain taxes for certain years.

H. F. No. 457, a bill for an act to amend chapter 9, section 1571 of the Code of 1873, in regard to publication of bank statements.

Concurrent resolution relative to printing Governor's message and inaugural address in foreign languages.

Concurrent resolution relative to the printing in pamphlet form of the papers, records and proceedings of the late meeting of the old law-makers of Iowa.

Also, that the House has passed the following Senate bill: Senate file No. 303, a bill for an act providing for the collection and preservation of historic records, and other valuable materials pertaining to the history of Iowa, and making appropriation therefor.

Also, I am directed to inform your honorable body that the Speaker of the House has named the following as members of the joint committee to investigate ballot machines: Messrs. Holbrook, Luke, Mitchell and Field.

H. S. WILCOX, *Chief Clerk.*

REPORTS OF STANDING COMMITTEES.

Senator Parrott, 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. 262, a bill for an act relating to county officers, 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 same be amended, by striking out the words "not less than two nor" in section one, line two, and in line three by striking out the words "more than four practical" and by inserting the words "one or more" in lieu thereof. Also, by striking out in line three the words "who shall be chosen from the two prominent," and in line four the words "political parties." Also, by inserting after the word "examine" in line four the words "at least once in each year" before the word "the." By striking out all of lines one and two in section two and the words "by them in official capacity" in line three, and by inserting the words "examinor or" after the word "said" in line three. Also, by striking out the letter "a" after the word "make" in line three, and adding the letter "s" to the word "report" in line three. By striking the words "and such suggestions as he or they may deem proper" after the word "made" in line four. By striking out the words "of the State" in line four. By striking out the word "fifteen" in line four and inserting the word "five" in lieu thereof. Also, by striking out all of section two after the word "made" in the sixth line. By striking out the word "these" in line one, section three, and inserting the word "such" in lieu thereof. By inserting the words "six dollars per day" after the word "be" in line one. Also, by inserting the words "day actually engaged and necessary traveling expenses not including board bill" after the word "each" in line one. By striking out the words "examination made not" in line one, and the words "more than twenty dollars which shall cover all expenses" in line two. By striking out the word "county" in line three and inserting the word "State" in lieu thereof. Also, by striking out all of line three after the word "treasury" and inserting the words "on certificate of the Governor, and the same shall be charged to said county by the Auditor of State" in lieu thereof, and that when so amended 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. 401, a bill for an act to amend section 1, chapter 52, acts of the 22d General Assembly, relating to the appointment 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 it do pass.

WARREN S. DUNGAN, *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. 101, a bill for an act to amend section 1578 of the Code, to provide an abridged pamphlet edition of the school laws for the use of 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.

A minority report of Senate School Committee with substitute for the report of majority of committee:

MR. PRESIDENT—The undersigned members, of your school committee, being unable to agree with a majority of said committee in reporting back a substitute bill for Senate file No. 2, with the recommendation that the same do pass, beg leave to submit this minority report. We cannot agree with the majority report for the following, among many reasons, to-wit:

1. We are opposed to said substitute because it requires a state board of school commissioners, which is too far removed from the people.
2. This plan has been condemned by our state superintendents, our county and state teachers associations, and by a large number of the school boards of the state.
3. It places the power to select books for many in the hands of a few, and legalizes one of the greatest monopolies that could possibly be devised.
4. It destroys competition, and is liable to fasten upon the schools books of inferior merit in subject matter, and deficient in compilation and workmanship.
5. In states where it has been tried it has universally proved unsatisfactory.
6. It deprives the people of managing their own affairs, and it is liable to create disturbance and general dissatisfaction on the part of patrons, pupils and teachers, and consequently retard the progress of our schools.
7. This commission should have no more authority to say what books should be used than they have to say what kind of desks, stoves, maps and charts shall be placed in the school house, or as to who shall be the teacher and what shall be his pay for his services.
8. The idea is undemocratic and contrary to the genius of our institutions.
9. We believe by allowing the school boards to contract for their books will greatly cheapen the same, and that the electors should be allowed to vote for or against free text-books.

10. Your minority present herewith a bill, which has our sanction, and ask that it be substituted for the majority report, and when so substituted that it do pass. The following is the bill:

Senate file No. 405, 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, and furnish same to pupils at cost, or free of cost, and allowing the electors of school districts to decide the question of county uniformity.

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 in this State, is hereby empowered to adopt text-books for 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 especially called therefor, and to be held prior to July 1, 1890, 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 the 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. 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 or county board of education 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 or county board of education 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 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 prices as hereinbefore provided.

SEC. 7. It shall be the duty of any board of directors or county board of education, 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 bidder offering suitable text-books or supplies at 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 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, or county board of education, 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. When a petition shall have been signed by a majority of the members of ten (10) or more school boards, in any county, and the same shall have been filed in the office of the county superintendent of said county at least thirty (30) days before the annual school elections in March, asking for a uniform series of text-books in the county, then the said county superintendent shall notify the county auditor and the board of supervisors of such petition. The county superintendent, the county auditor, and the county board of supervisors shall constitute a board of education, whose duty it shall be to arrange for a vote by the electors at the annual meeting in March, for or against county uniformity of school text-books under

such rules and regulations as said board of education may determine; should a majority of said districts favor a uniform series of text-books for use in said county, then the county board of education shall meet and select text-books for the said district, and contract for the same under such rules and regulations as the said board of education may adopt.

When a list has been so selected they shall be used by all the said districts, and the board of education may arrange for such depositories as they may deem best, and may pay for said school books out of the county funds, and sell them to the school districts at the same price as provided in section one (1) of this act. The county superintendent shall in all cases be chairman of the county board of education, and the county auditor shall be the secretary, and a full and complete record shall be kept of their proceedings in a book for that purpose, and filed in the office of the county superintendent; a list of text-books so selected, with their contract prices, shall be reported to the State superintendent with the regular annual report of the county superintendent.

SEC. 10. 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 county auditor, samples of text-books included in his bids, accompanied with lists giving the lowest wholesale and contract price for the same, and said samples and lists shall remain as a part of the county records, in the county auditor's office, and shall be delivered by him to his successor in office; and shall be kept by him 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 the same, and compare them with others for the purpose of use in the public schools.

SEC. 11. The provisions of section nine (9) of this act shall not apply to schools located within cities or towns, but shall not be so construed as to prevent the pupils of such schools from buying the books adopted by the county board of education at the prices fixed by them.

SEC. 12. The school officers or teachers in the public schools of this State shall not, directly or indirectly, act as the agent or representative of any person, firm or in corporation, for the introduction or sale of any school books to any school district this State.

SEC. 13. All acts and parts of acts inconsistent or in conflict herewith are hereby repealed.

SEC. 14. 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*.

A. F. MESERVEY,
EDGAR E. MACK,
E. B. BILLS,
L. B. MATTOON.

Senator Davidson, 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. 10, an act to repeal sections 1, 2, 3 of chapter 12, of the acts of the 18th General Assembly, relative to the management of the permanent school fund, and to enact substitutes therefor.

D. B. DAVIDSON, *Chairman*.

REPORT OF CONFERENCE COMMITTEE.

To the President of the Senate:

Your committee appointed to confer with a like committee from the House in reference to making arrangements for the reception of the veterans of the G. A. R. at the coming encampment, respectfully report that they have performed that duty, and in connection with a committee from the G. A. R., have completed such arrangements.

It is desired that his excellency, the Governor, and members of the General Assembly, shall receive the veterans at the east front of the capitol between 2 and 3 o'clock on the afternoon of April 8th. That the Governor, the Lieutenant-Governor and Speaker of the House shall welcome the guests on behalf of the State.

N. V. BROWER,

F. D. BAYLESS.

The President announced the following as members of the joint committee provided for in House concurrent resolution relating to the Myers and Rhynes voting machine, Senators Lawrence, McVay, Wolfe and Cleveland.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, April 2, 1890. }

Senate met in regular session at 10 o'clock A. M.

Lieut.-Gov. Poynear in the chair.

Prayer by Rev. O. L. Corbin of the M. E. Church, Des Moines.

The hour having arrived for consideration of the special order, it being Senate file No. 244, a bill for an act for an appropriation for the claim of J. P. Bushnell & Co. for preparing, publishing, and distributing five thousand copies of "Iowa Resources and Industries" at the World's Fair in 1885, with report of the committee recommending amendments and that it do pass, was taken up and postponed for 25 minutes.

REPORTS OF STANDING COMMITTEES.

Senator Parrott, 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. 77, a bill for an act for the establishment of a board of supervision of State institutions and offices, beg leave to report 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 words "one of whom shall be from each of the two leading political parties and" after the word "members," in the second line of section one; also, by inserting the words "at least once in six months" after the word "inspect" in the second line of section six; by striking out the words "within the State, and whenever required as," in the second line of section six; by striking out all of the third line of section six; by striking out the words "charitable institutions," in the fourth line of section six; by striking out the word "stake" in the fourth line of section six, and by striking out all of the fifth line of section six after the word "institutions;" by striking out the words "county office or officers," in line six of section six; by striking out the words "by approval of the governor," after the word "reject" in the thirtieth line of section six; by striking out the figures "1,000" in the fifth line of section nine and inserting the figures "2,000," in lieu thereof, and when so amended that the bill do pass.

MATT PARROTT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was re-referred Senate file No. 397, a bill for an act to provide for the establishment of a State board of control of State institutions, defining its powers and duties, and to abolish boards of trustees and commissioners of State institutions, beg leave to report that

[The record in regard to resolution by Senator Brower should read as follows:]
Senator Brower offered the following concurrent resolution:

Resolved by the Senate, the House concurring: That on the afternoon of April 8th, between the hours of two and four o'clock, both branches of this General Assembly take a recess for one hour, for the purpose of receiving, with his Excellency the Governor, the veterans of the Grand Army of the Republic, as a mark of respect to that body; and be it further

Resolved, That there shall be appropriated from the treasury from money not otherwise appropriated a sum of not more than one hundred (\$100) dollars to be used for decorating the capitol building in a manner suitable to the occasion.

Senator Woolson moved to amend by striking out all after the word "further," and inserting the following:

Resolved, That the custodian of public buildings be instructed to decorate the capitol building in a manner suitable to the occasion, at an expense not to exceed one hundred dollars.

Senator Ballingall moved to amend by striking out all after the word "occasion."
Lost.

The amendment by Senator Woolson was adopted.
The resolution as amended was then adopted.

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.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Senator Hanchett filed the following:

I hereby give notice that I will move to reconsider the vote by which the rule was suspended, and S. F. 168 was ordered read a third time; also the vote by which the substitute for S. F. 168 was adopted.

L. S. HANCHETT.

The hour having arrived for consideration of the special order, it being Senate file No. 38, a bill for an act to provide for the listing and assessment for taxation of the capital stock of banks organized under the laws of this State, with report of the committee recommending substitute, and when adopted it do pass, was taken up and on motion of Senator Brower, was postponed until the following resolution is disposed of:

Senator Brower offered the following concurrent resolution:

Resolved by the Senate, the House concurring: That on the afternoon of April 8th. between the hours of two and four o'clock, both branches of this General Assembly take a recess for one hour, for the purpose of receiving, with his excellency the Governor, the veterans of the Grand Army of the Republic, as a mark of respect to that body; and be it further

Resolved, That the custodian of public buildings be instructed to decorate the Capitol building in a manner suitable to the occasion, at an expense not to exceed one hundred dollars.

Senator Ballingall moved to amend by striking out all after the word "occasion."

Lost.

Senator Woolson moved to amend by striking out all after the word "further," and insert the following:

Resolved, That the custodian of public buildings be instructed to decorate the Capitol building in a manner suitable to the occasion, at an expense not to exceed one hundred dollars.

The resolution as amended was then adopted.

Senator Kelly offered the following:

WHEREAS, From the figures made by the Appropriation Committee as to the absolute wants of the State Institutions, it is evident that an extra half mill must be levied for State purposes; therefore,

Resolved, By the Senate, that the Ways and Means Committee be, and it is hereby instructed to prepare a bill for an act providing for the levy of an extra half mill State tax for each of the years 1890 and 1891.

Read and passed over under the rule.

On motion of Senator Shields Senate file No. 321, a bill for an act creating and establishing an appellate court and defining the powers and jurisdiction thereof, with the report of majority of Committee recommending amendments, and that it do pass, was taken up and made a special order for 2 o'clock P. M., Friday.

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. 175, a bill for an act to legalize the incorporation of the town of Galva, and the acts of said town done and performed thereunder.

Also, that Messrs. Woods and Chantry have been appointed by the Speaker of the House as members of the Joint Committee for the reception of G. A. R.

H. S. WILCOX, *Chief Clerk.*

Senator Lawrence moved that Senate file No. 154, a bill for an act authorizing cities having a population of 5,000 inhabitants or more, to permit the sale of intoxicating liquors as a beverage, and to permit its manufacture and sale in such cities, with report of the committee recommending amendments and that it do pass, be made a special order for 2 o'clock P. M., Monday, April 7.

Carried.

The hour having arrived for consideration of the special order, it being Senate file No. 244, a bill for an act for an appropriation for the claim of J. P. Bushnell & Co., for preparing, publishing and distributing five thousand copies of "Iowa Resources and Industries" at the world's fair in 1885, with the report of the Committee recommending amendments and that it do pass, was taken up, and on motion of Senator Barrett, was postponed until 4 o'clock, P. M., Friday, at which hour it was made a special order.

House file No. 25, a bill for an act requiring all railroads, corporations, companies and persons operating a railroad and doing business in Iowa to equip all their engines and cars with proper, efficient and safe automatic couplers and brakes, and for prescribing penalties for failure thereof, with report of the Committee recommending that it do pass, was taken up and made a special order, to take precedence of all others, to follow immediately the disposition of Senate file No. 38, a bill for an act to provide for the listing and assessment for taxation of the capital stock of banks organized under the laws of this State.

The special order, Senate file No. 38, a bill for an act to provide for the listing and assessment for taxation of the capital stock of banks organized under the laws of this State, with report of Committee recommending amendments and that it do pass, was taken up, considered and the amendments recommended by the committee were adopted.

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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—48.

The nays were:

Senator Cassatt—1.

Absent or not voting:

Senator Engle—1.

The amendments to the title proposed by the committee were adopted.

So the bill passed and the title, as amended, was agreed to.

Senator Seeds explained his vote as follows:

With the leading thought of this bill—that of taxing shares of banking associations in the place where the association is located—I heartily concur, believing that by this means a more equitable distribution of the burdens of taxation will be attained, but as the bill now reads it seems to me that the capital stock of these associations must be assessed at its full valuation, though a part of the same may be in real estate. This real estate will also be assessed. Hence, there arises a case of double taxation, which is condemned alike by law and common sense. I believe this is unconstitutional, and have endeavored by amendments to obviate the difficulty, but the wisdom of the Senate has decided adversely to those amendments. But, as in my judgment, a failure on the part of the assessor to make a proper deduction of said real estate in his assessment of the capital stock would be declared by the Supreme Court unconstitutional, and yet the main thought of the act be retained, and not desiring to antagonize the "sole object of the bill," I vote "yes."

ED. P. SEEDS, *Senator 33d District.*

The hour having arrived for consideration of the special order, it being Senate file No. 74, a bill for an act to repeal chapter fifty-nine (59) of the Seventeenth (17) General Assembly, in relation to the taxation of telegraph and telephone lines, and to enact the following in lieu thereof, with report of a majority of the committee recommending that it do pass, was taken up, and on motion of Senator Kegler, made a special order for 2:30 o'clock p. m. to-day.

The journal of yesterday was corrected and approved.

RESOLUTION.

Senator Caldwell, by unanimous consent, introduced the following resolution:

Resolved, That there be a session of the Senate Friday evening, the 4th inst., at 7:30 o'clock for the purpose of considering bills and resolutions on the calendar (not made a special order), in their numerical order on the calendar.

Adopted.

The Senate took up for consideration the special order, it being House file No. 25, a bill for an act requiring all railroads, corporations, companies and persons operating a railroad and doing business in Iowa to equip all their engines and cars with proper, efficient and safe automatic couplers and brakes, and for prescribing penalties for failure therefor, with report of the committee recommending that it do pass.

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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins. Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman and Wolfe—49.

The nays were—none.

Absent or not voting:

Senator Woolson—1.

So the bill passed and the title was agreed to.

Senator Woolson filed the following:

I was called on public business from the Senate Chamber to the Hall of the House of Representatives during the consideration of House file No. 25, requiring the equipment of all railroad engines and cars with automatic couplers, and

I returned to the Chamber immediately after the passage of the bill had been announced. The chair having ruled that I may not have my vote recorded in favor of said bill, although with unanimous consent of the Senators, I therefore desire to state on the journal of the Senate, that if present at time of calling the roll on the passage of the bill, I should have voted for the passage of said bill.

JNO. S. WOOLSON, *Senator Tenth District.*

The hour having arrived for consideration of the special order, it being Senate file No. 77, a bill for an act to provide for the establishment of a board of supervision of State institutions and offices, with report of committee recommending amendments and when adopted that it do pass, was taken up, considered, and the amendments proposed by the committee considered separately.

Senator Woolson moved that the bill be considered by sections.

Carried.

The first amendment proposed by the committee was adopted.

On motion of Senator Gatch, the words, "and State offices" in the the second line of section 1, were stricken out.

On motion of Senator Woolson, the word "State" in the first line of section 1, was stricken out.

On motion of Senator Wolfe the word "commissioners" in the 4th line of section 1 was stricken out and the word "supervisors" inserted.

Senator Bolter moved to amend section 3, by adding thereto the following:

And provided further, that each of said supervisors shall file with the Auditor of State an itemized statement duly verified, of his necessary expenses before any warrant shall be drawn therefor.

Adopted.

Senator Parrott moved to strike out the word "\$1,000" in the first line of section 3, and insert "\$1,500."

Senator Shields moved to amend the amendment by striking out "\$1,500" and inserting "\$2,500," and that there be no provision for expenses.

Pending consideration of which, the Senate adjourned.

AFTERNOON SESSION.

The Senate reconvened at 2 o'clock P. M.

Lieut-Gov. Poyneer in the chair.

The Senate resumed consideration of Senate file No. 77, a bill for an act to provide for the establishment of a board of supervision of State institutions and offices.

The question being on the adoption of the amendment offered by Senator Shields.

It was lost.

The question now being on the adoption of the original amendment offered by Senator Parrott.

It was lost.

Senator Price offered the following substitute for sections 3 and 4:

SECTION 3. Each member of said board of supervisors shall receive a compensation of one thousand (\$1,000) dollars per annum, payable quarterly, and in addition thereto all actual necessary expenses made in the discharge of the duties of his office when absent from the Des Moines office, and said board shall also have power to employ a secretary, who shall be an expert accountant, at a salary of not more than \$1,800 per annum, and said secretary shall be subject to removal at the pleasure of said board. All accounts for salary and actual expenses of members and secretary of said board shall be itemized and rendered under oath, and be audited and allowed by the Executive Council, and paid by the Treasurer of State upon warrants issued by the Auditor of State.

Adopted.

Pending which, the hour having arrived for consideration of the special order, it being Senate file No. 74, a bill for an act to repeal chapter fifty-nine (59) of the Seventeenth (17) General Assembly, in relation to the taxation of telegraph and telephone lines and to enact the following in lieu thereof, with report of a majority of the committee recommending that it do pass, was taken up, and on motion of Senator Kegler was postponed until the bill now under consideration is disposed of.

The Senate resumed consideration of special order, it being Senate file No. 77, a bill for an act to provide for the establishment of a board of supervision of State institutions and offices.

Senator Bailey moved to reconsider the vote by which the substitute for sections 3 and 4 offered by Senator Price was adopted.

Carried.

The question now being on the adoption of the substitute by Senator Price. On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Clyde, Davidson, Finn, Groneweg, Kegler, Mack, Mills, Price, Stewart, Taylor, Weidman, Wolfe, Woolson—14.

The nays were:

Senators Bailey, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Dungan, Engle, Funk, Gatch, Gobble, Hanchett, Harsh, Kelly, Kent, Mattoon, McCoy, McVay, Meservey, Mosnat, Perkins, Rich, Seeds, Smith of Linn, Vale—28.

Absent or not voting:

Senators Cassatt, Dodge, Lawrence, Parrott, Reiniger, Schmidt, Shields, Smith of Wright—8.

So the substitute was lost.

Senator Woolson moved to amend section 3 by adding after the word "this," in line two, the words "actual and."

Carried.

Senator Price moved to amend section 3 by inserting after the word "incurred" the words "when absent from the Des Moines office."

Senator Harsh moved to suspend further consideration of this bill and amendments until next Friday at 10 o'clock A. M.

Lost.

The question now being on the adoption of the amendments, offered by Senator Price, to section 3.

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Clyde, Davidson, Finn, Mack, Price, Stewart, Taylor, Weidman, Wolfe, Woolson—11.

The nays were:

Senators Bailey, Barrett, Bolter, Brower, Caldwell, Cleveland, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Hanchett, Kegler, Kelly, Kent, Mattoon, McCoy, Meservey, Mills, Mosnat, Perkins, Reiniger, Rich, Schmidt, Seeds, Smith of Linn, Smith of Wright, Vale—30.

Absent or not voting:

Senators Barnett, Bills, Cassatt, Dodge, Harsh, Lawrence, McVay, Parrott, Shields—9.

So the amendment was lost.

Section 4 was now considered.

Senator Barnett moved to amend section 4 in the second line by striking out the words "\$1,800" and inserting the words "\$1,500."

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bills, Dungan, Engle, Finn, Kegler, Kelly, Mack, Mills, Price, Smith of Wright, Stewart, Weidman—13.

The nays were:

Senators Bailey, Ballingall, Barrett, Bayless, Bolter, Brower, Caldwell, Cleveland, Clyde, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Mattoon, McCoy, McVay, Meservey, Parrott, Perkins, Reininger, Rich, Seeds, Smith of Linn, Taylor, Vale, Wolfe, Woolson—29.

Absent or not voting:

Senators Cassatt, Davidson, Dodge, Kent, Lawrence, Mosnat, Shields, Schmidt—8.

So the amendment was lost.

Senator Clyde moved to amend as follows: Add to section 4 after the word "accountant" in the third line of the printed bill, the words "he shall when ever directed by the board, visit the several institutions and make examination in detail of their records and accounts."

Adopted.

Senator Finn moved to amend section 4 by inserting the word "stenographer" after the word "expert" in the third line of the printed bill.

Lost.

Senator Kegler moved to amend section 4 as follows: Strike out after the word "exceed," in the first and second line the words "1,800 dollars per annum," and insert in lieu thereof, the words "1,500 dollars and actual necessary expenses when on duty away from the office of said supervisors at the capitol in Des Moines."

Lost.

Senator Cleveland moved to amend section 5 as follows: To strike out the word "commissioners" wherever it occurs, and insert "super-visors."

Adopted.

Senator Clyde moved to amend section 5 as follows: Strike out the words "financially and otherwise," from third line, and insert "financial and other," before the word "condition," in second line.

Pending which Senator Caldwell moved to postpone consideration of this bill until the reports of standing committees can be made.

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 concurrent resolution relative to taking a recess for the purpose of receiving G. A. R. veterans.

H. S. WILCOX, *Chief Clerk.*

Also:

MR. PRESIDENT—I am directed to request of your honorable body that Senate files No. 326 and 327 be returned to the House.

H. S. WILCOX, *Chief Clerk*.

Senator Woolson moved that the bills be returned as requested.
Carried.

INTRODUCTION OF BILLS.

By Committee on Public Health, Senate file No. 414, a bill for an act to provide for and regulate the keeping and sale of intoxicating liquors for lawful purposes and to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of chapter 71, laws of the Twenty-second General Assembly.

Read first and second times and ordered placed on the calendar and 300 extra copies ordered printed.

By Senator Brower, Senate file No. 415, a bill for an act providing a site and for the erection of a State soldiers' and sailors' monument, arch, memorial hall, or monument and memorial hall combined, according to the discretion of the commissioners in this act provided for, expressive 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 in the recent war in defense of the Union, and appropriating funds therefor out of the refunding of the direct war tax.

Read first and second times and referred to the Committee on Appropriations, and 200 extra copies ordered printed.

By Committee on Schools, Senate file No. 416, a bill for an act relating to the common schools of the State, and to the terms of sub-directors within the several district townships.

Read first and second times and ordered passed on file.

The Committee on Printing offered the following resolution:

Resolved by the Senate, the House concurring: That the State printer is hereby instructed and directed to print a second edition of the last report of the Railroad Commissioners and the Bureau of Labor Statistics of two thousand copies each, provided that the cost for composition shall not exceed ten per cent of the first cost, and the State binder is hereby instructed and directed to bind the said two thousand copies of the Railroad Commissioners report in muslin covers; also, one thousand copies of the report of the Bureau of Labor Statistics in muslin covers, and one thousand copies of the same in paper.

Read and passed over under the rule.

On motion of Senator Gatch Senate file No. 77, a bill for an act to provide for the establishment of a board of supervision of State

institutions and offices, was made a special order for 10 o'clock A. M. to-morrow.

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 Senate file No. 69, 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 they have agreed upon a substitute therefor, and such is adopted in lieu thereof, the same do pass.

G. L. FINN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 70, a bill for an act providing for a system of industrial and normal training schools in connection with the common schools 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 it do pass.

G. L. FINN, *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. 218, a bill for an act amendatory of chapter 71 of the acts of the Twenty-second General Assembly, to regulate the sale of intoxicating liquors for necessary purposes, and to repeal sections 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17, 18, and 19, 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 it do pass.

E. J. CALDWELL, *Chairman*.

Ordered passed on file.

Senator Perkins, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 362, a bill for an act to reimburse and pay P. E. Greer for money expended and services rendered the State of Iowa during the months of July and August, 1862, beg leave to report 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 of the "Whereas" clause all after the word "which" in line 3, and to include the word "which" in line 4 of printed bill, and in section

1, line 4, all after the word "sum," and in line 5 to include the word "Greer," and insert in lieu thereof the words, "two hundred dollars in full," and that when so amended it do pass.

GEO. W. PERKINS, *Chairman*.

Ordered passed on file.

Senator Barnett, 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. 116, a bill for an act to amend sections 603, 606, 615 and 616 of chapter 3, title 5 of the Code, relating to 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 indefinitely postponed for the reason that a bill of similar character has been introduced and recommended that it do pass and made a special order.

J. H. BARNETT, *Chairman*.

Ordered passed on file.

Senator Woolson, from the Committee on Judiciary, submitted the following reports:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 323, a bill for an act to amend section two thousand and seventeen (2017) of chapter nine (9), title thirteen (13), 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 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. 59, a bill for an act to require hotels, inns and boarding houses to provide means of escape in case of 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 it 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. 167, a bill for act to amend sections six and sixteen, of chapter sixty-five, laws of the Twenty-first General Assembly, relating to 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 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. 29, a bill for an act to amend section 814 of the Code, relating to listing

property for 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 it be indefinitely postponed.

JOHN 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 providing for the acknowledgment of and recording of deeds in certain cases, and rendering valid the acknowledgment of deeds and instruments in writing, beg leave to report 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 and that the title be amended to read as follows: "A bill for an act relating to acknowledgment and recording of deeds in certain cases and rendering the same valid."

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 amending section 4299, chapter 2, title 18, of the Code, and also a large number of petitions with reference 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 said bill, together with said petitions (which herewith accompany said bill), be referred to Committee on Labor as the subject matter of the bill is more especially within the jurisdiction of that committee; and for the further reason that a delegation of persons interested in said bill are in attendance and desire a hearing before the committee having the bill in charge, and your committee with the other demands pressing upon it have not been able to fix a time for such hearing.

JNO. S. WOOLSON, *Chairman*.

So referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 344, a bill for an act to accept and legalize the grant to the State of Iowa, made to the city of Iowa City, of certain rights and privileges in a public park and street in said city, as indicated by an ordinance of said city passed March 7, 1890, beg leave to report 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. 350, a bill for an act to amend section 3870, of the Code, relating to offenses against the lives and persons of individuals, beg leave to report 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. 84, a bill for an act to provide for the assessment of mortgages or of mortgaged property, and to prevent double assessment, 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. 404, a bill for an act to relieve Anderson M. Bengé and others, to whom laws of the school fund were made, in Madison 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 Senate file No. 314, a bill for an act to amend section two thousand and seventeen (2017), of chapter nine (9), of the Code of 1873, relative to landlords' lien, beg leave to report 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. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate file No. 145, a bill for an act creating and establishing the appellate court and defining the powers and jurisdiction 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.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Senator Harsh, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred House committee substitute for House file No. 174, a bill for an act for the punishment of pools, trusts, combinations 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 do pass. Your committee further recommend that as Senate file No. 229, by

Harsh, heretofore recommended by this committee that it do pass, is nearly identical with this bill, and as this bill has already passed one body of this General Assembly, that this bill be considered in lieu of said Senate file 229.

J. B. HARSH, *Chairman*.

Ordered passed on file.

The Senate adjourned.

EVENING SESSION.

The Senate re-convened at 7:30 P. M.

Lieut.-Gov. Poyneer in the chair.

Senator Hanchett was excused from attendance upon this session.

Senate file No. 166, a bill for an act to amend section 1 of chapter 16, laws of the Twenty-second General Assembly, relating to the granting of powers to certain cities, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and report of committee adopted.

Concurrent resolution, by Senator Kelly, relative to placing sugar on the free list, with report of the committee recommending that it be indefinitely postponed, was taken up and considered and the report of the committee adopted.

Senate file No. 58, a bill for an act to render privileged confidential communications to editors, publishers and reporters for newspapers, with report of the majority of committee recommending that it be indefinitely postponed, was taken up and considered, and the report of the committee adopted.

Senate file No. 186, a bill for an act for the relief of F. Harbach, with report of the 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 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 Bailey, Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cassatt, Dungan, Funk, Gatch, Gobble, Harsh, Kegler, Mattoon, McCoy, Mills, Mosnat, Parrott, Perkins, Reiniger, Seeds, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—28.

The nays were:

Senator Price—1.

Absent or not voting:

Senators Ballingall, Brower, Cleveland, Clyde, Davidson, Dodge, Engle, Finn, Groneweg, Hanchett, Kelly, Kent, Lawrence, Mack, McVay, Meservey, Rich, Schmidt, Shields, Smith of Linn, Smith of Wright—21.

So the bill passed and the title was agreed to.

Senator Price moved that the rule be suspended and the Senate take up for consideration Senate file No. 404, a bill for an act to relieve Anderson M. Bengé and others, to whom loans of the school fund were made, in Madison county, Iowa, with report of the committee recommending that it do pass.

Carried.

The report of the committee was adopted.

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 Bailey, Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cassatt, Clyde, Davidson, Dungan, Funk, Gatch, Gobble, Harsh, Kegler, Mack, Mattoon, McCoy, McVay, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Seeds, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—33.

The nays were—none.

Absent or not voting:

Senators Ballingall, Brower, Cleveland, Dodge, Engle, Finn, Groneweg, Hanchett, Kelly, Kent, Lawrence, Meservey, Rich, Schmidt, Shields, Smith of Linn, Smith of Wright—17.

So the bill passed and title was agreed to.

Senate file No. 119, a bill for an act to authorize the auditor to credit Fremont county on account of school fund and county fund, with report of the committee recommending that it do pass, was taken up.

HOUSE MESSAGE.

On motion of Senator McCoy the Senate took up House messages.

House file No. 470, a bill for an act to authorize the auditor to credit Fremont county on account of school fund and county fund, was taken up, and read a first and second times.

On motion of Senator Perkins, consideration of this bill was substituted for Senate file No. 119.

Senator Perkins 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 Bailey, Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cassatt, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Gobble, Harsh, Kegler, Mack, Mattoon, McCoy, McVay, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Seeds, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—34.

The nays were—none.

Absent or not voting:

Senators Ballingall, Brower, Cleveland, Dodge, Engle, Groneweg, Hanchett, Kelly, Kent, Lawrence, Meservey, Rich, Schmidt, Shields, Smith of Linn, Smith of Wright,—16.

So the bill passed and the title was agreed to.

Senate file No. 119, a bill for an act to authorize the auditor to credit Fremont county on account of school fund and county fund, with report of committee recommending it do pass, was taken up, considered, and indefinitely postponed.

Senate file No. 212, a bill for an act to enable the board of supervisors of Marshall county, Iowa, to refund money collected as a fine in a liquor prosecution, and paid into the temporary school fund of said county, with report of committee without recommendation, was taken up and considered.

Senator Barrett moved to amend the bill by striking out the words "and directed" in the second line of the printed bill.

Carried.

Senator Finn moved to amend as follows: Add, after the word "Iowa" in the 3d line the words "after submitting the question of refunding to a popular vote."

Lost.

Senator Wolfe moved the following amendments:

Strike out all after the word "refunded" in the fourth line of section 1, and insert the words, "from any funds raised for ordinary county revenue now or hereafter coming into the hands of the treasurer of said county."

Adopted.

Senator Kegler moved to amend as follows:

Strike out the words "and interest from date of judgment until the same has been refunded," in third and fourth lines.

Lost.

Senator Mills 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 Bailey, Barnett, Barrett, Bayless, Bills, Cassatt, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Gobble, Kegler, Mack, Mattoon, McCoy, McVay, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Stewart, Taylor, Vale, Weidman Wolfe, Woolson—30.

The nays were:

Senators Bolter, Harsh—2.

Absent or not voting:

Senators Ballingall, Brower, Caldwell, Shields, Smith of Linn, Cleveland, Dodge, Engle, Groneweg, Hanchett, Kelly, Kent, Lawrence, Meservey, Mosnat, Rich, Schmidt, Smith of Wright—18.

Senator Wolfe moved to amend the title of the bill by striking out all after the word "money," in the title, and insert the words "with interest to the widow and heirs of Harry Schofield, of Marshall county, Iowa."

Carried.

Senator Finn moved to amend the title by striking out the word "enable" and insert "permit."

Carried.

So the bill passed and the title as amended was agreed to.

On motion of Senator Bailey, Senate file No. 387, a bill for an act to defray the expenses of several committees appointed to visit the various institutions of the State, was taken up and considered.

Senator Bailey moved to amend the bill by striking out the words "twenty-two" in the second line of section 12, and insert the words "twenty-three."

Adopted.

Senator Gobble moved to strike out the word "four" in section 18 and insert "three."

Adopted.

Senator Bailey 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 Bailey, Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cassatt, Clyde, Dungan, Finn, Funk, Gatch, Gobble, Harsh, Kegler, Mack, Mattoon, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Seeds, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—31.

The nays were—none.

Absent or not voting:

Senators Ballingall, Brower, Cleveland, Davidson, Dodge, Engle, Groneweg, Hanchett, Kelly, Kent, Lawrence, McCoy, McVay, Meservey, Rich, Schmidt, Shields, Smith of Linn, Smith of Wright—19.

So the bill passed and the title was agreed to.

Senate file No. 361, a bill for an act to repeal chapter 139, laws of 1888, was taken up and considered.

Senator Price moved to amend the bill by striking out all after the word "repealed" in section 1.

Lost.

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 Bailey, Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Clyde, Dungan, Gatch, Gobble, Harsh, Kegler, Mack, Mattoon, McCoy, McVay, Mills, Parrott, Perkins, Price, Seeds, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—28.

The nays were—none.

Absent or not voting:

Senators Ballingall, Brower, Cassatt, Cleveland, Davidson, Dodge, Engle, Finn, Funk, Groneweg, Hanchett, Kelly, Kent, Lawrence, Meservey, Mosnat, Reiniger, Rich, Schmidt, Shields, Smith of Linn, Smith of Wright—22.

So the bill passed and the title was agreed to.

On motion of Senator Kegler the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, April 3, 1890. }

The Senate met in regular session at 10 o'clock A. M.

Lieut.-Gov. Poyneer in the chair.

Prayer by Rev. E. P. Bartlett pastor East Side Baptist Church, Des Moines.

The hour having arrived for consideration of the special order, it being Senate file No. 77, a bill for an act to provide for the establishment of a board of supervision of State institutions and offices, it was then taken up.

The question being on the adoption of the amendment offered by Senator Clyde to section 5.

Senator Kelly moved to postpone consideration of the special order until 10:25.

Carried.

The Senate took up for consideration the resolution relative to instructing the Committee on Ways and Means in regard to the State tax levy.

Pending which, the time having arrived for the Senate to resume consideration of the special order, Senate file No. 77, a bill for an act to provide for the establishment of a board of supervision of State institutions and offices, it was taken up and on motion of Senator Barrett was further postponed until the tax levy resolution is disposed of.

The Senate resumed consideration of the resolution relative to the tax levy for State purposes.

Pending consideration of which, on motion of Senator Bayless, Senate file No. 60, a bill for an act to repeal chapter 69, laws of the Sixteenth General Assembly, and to enact a substitute therefor, relating to vagrants, with report of the committee recommending a substitute, and that it do pass, was taken up and made a special order to follow consideration of Senate file No. 74, a bill for an act to repeal chapter fifty-nine (59), of the 17th General Assembly, in relation to the taxation of telegraph and telephone lines, and enact the following in lieu thereof.

The Senate now resumed consideration of the resolution relative to the State tax levy.

Senator Taylor offered the following substitute.

WHEREAS, The amounts agreed upon by the Committee on Appropriations for the support of State institutions are subject to revision, and it was so understood by said committee when such amounts were passed upon, therefore

Resolved, by the Senate, that the Committee on Appropriations is hereby directed to so revise the appropriation bills that a 2-mill tax levy may be sufficient to meet all State expenditures.

Senator Reiniger moved to amend the original resolution as follows:

Strike out each of the years 1890 and 1891 and insert 1891 in lieu thereof.

Senator Groneweg moved the previous question. Carried, and the previous question seconded.

The main question was ordered put.

The question now being on the adoption of the amendment to the original resolution offered by Senator Reiniger.

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Barnett, Bills, Bolter, Clyde Davidson, Dodge, Dungan, Engle, Finn, Groneweg, Kegler, Mack, Price, Reiniger, Stewart, Taylor, Vale—18.

The nays were:

Senators Bailey, Barrett, Bayless, Brower, Caldwell, Cleveland, Funk, Gatch, Gobble, Hanchett, Kelly, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Rich, Schmidt, Seeds, Shields, Smith of Wright, Wolfe, Woolson—26.

Absent or not voting:

Senators Cassatt, Harsh, Kent, Lawrence, Smith of Linn, Weidman—6.

So the amendment was lost.

Senator Mack's explanation of his vote:

So far as I have been able to understand the statements made upon the floor of the Senate by the members of the Appropriation Committee, I have heard no reasons urged for the levy of an additional one-half mill for the year A. D., 1891, as no moneys derived from levy for that year can be used in any event for the appropriations made by this General Assembly. I therefore vote aye.

EDGAR E. MACK, *Senator 50th District.*

The question now being on the adoption of the substitute offered by Senator Taylor.

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Barnett, Bolter, Davidson, Dodge, Engle, Finn, Groneweg, Harsh, Kegler, Kent, Mills, Price, Reiniger, Stewart, Taylor, Vale—17.

The nays were:

Senators Bailey, Barrett, Bayless, Brower, Caldwell, Cleveland, Clyde, Dungan, Funk, Gatch, Gobble, Hanchett, Kelly, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mosnat, Parrott, Perkins, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Wolfe, Woolson—30.

Absent or not voting:

Senators Bills, Cassatt, Weidman—3.

So the substitute was lost.

The question now being on the adoption of the original resolution. On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barrett, Bayless, Brower, Caldwell, Cleveland, Funk, Gatch, Gobble, Hanchett, Kelly, Lawrence, Mattoon, McCoy, McVay, Meservey, Mosnat, Parrott, Perkins, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Wolfe, Woolson—27.

The nays were:

Senators Ballingall, Barnett, Bills, Bolter, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Groneweg, Harsh, Kegler, Kent, Mack, Mills, Price, Reiniger, Stewart, Taylor, Vale—21.

Absent or not voting:

Senators Cassatt and Weidman—2.

So the resolution was adopted.

Senator Mack filed the following:

I am not in favor of deciding in this manner and at this time the *rate per cent* that shall be levied for the support and improvement of our State institutions. I am in favor of giving to each the amount actually necessary and proper, and for the *necessary* improvement of the capitol grounds, and for such other purposes as may be proper. I do not believe the levy of $2\frac{1}{4}$ mills should be continued beyond the next year, and as this resolution provides for the levy for the two years following which I deem unnecessary, I therefore vote no.

EDGAR E. MACK, *Senator 50th District.*

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 passed the following bills with amendments:

Senate files 326 and 327.

Also, that the House has passed House file 87, a bill for an act to repeal section No. 295 of the Code of 1873, relating to county boards of supervisors, and enacting a substitute therefor, in which the concurrence of the Senate is asked.

Also, that the House has indefinitely postponed Senate file No. 46.

H. S. WILCOX, *Chief Clerk.*

Also:

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. 144, 5, 7, 303.

Also, that the House has passed House file No. 375, to amend section 1695 and section 1696, chapter 7, title 12 of the Code, relating to the institution for deaf and dumb, in which the concurrence of the Senate is asked.

H. S. WILCOX, *Chief Clerk*.

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA,)
EXECUTIVE OFFICE.)

DES MOINES, April 3, 1890.

MR. PRESIDENT—I am instructed by the Governor to inform you that he has approved, signed and deposited in the office of the Secretary of State, the following bills:

Senate file No. 10, an act to repeal sections 1, 2, 3, of chapter 12, of the acts of the Eighteenth General Assembly, relative to the management of the permanent school fund, and to enact substitutes therefor.

Senate file No. 51, an act for the protection and preservation of fish, and repealing sections 1, 2, 3, 4, 6, 7, 8, 9, 10 and 11, of chapter 50, acts of the 15th General Assembly; chapter 70, acts of the 16th General Assembly; sections 3, 5, 6, 7 and 8, of chapter 80, acts of the 17th General Assembly; chapter 92, acts of the 18th General Assembly, and chapter 9, acts of the 20th General Assembly; and

Senate file No. 223, an act to provide for temporarily filling vacancy in the office of county recorder.

JAS. T. O'MEARA, *Chief Clerk*.

HOUSE MESSAGES.

On motion of Senator Groneweg, House messages were taken up.

House file No. 374, a bill for an act to amend sections 1695 and 1696, chapter 7, title XII of the Code, relating to the Iowa Institution for the Deaf and Dumb.

Read first and second times and referred to the Committee on Judiciary.

House file No. 87, a bill for an act to repeal section No. 295 of the Code of 1873, relating to county boards of supervisors and enacting a substitute therefor.

Read first and second times and referred to the Committee on Judiciary.

House file No. 175, a bill for an act to legalize the incorporation of

the town of Galva and the acts of said town done and performed thereunder.

Read first and second times and referred to the Committee on Judiciary.

House file No. 169, a bill for an act to legalize the levy of certain taxes for certain years.

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

House file No. 457, a bill for an act to amend chapter 9, section 1571 of the Code of 1873, in regard to publication of bank statements.

Read first and second times and referred to the Committee on Banks.

House concurrent resolution relative to the printing in certain languages of Governor Larrabee's biennial message and Governor Boies' inaugural address.

Read first and second times, and referred to the Committee on Printing.

House concurrent resolution, relative to a general reunion of the Iowa soldiers during the year 1890, in the city of Des Moines, to be fixed by, and under the supervision and control of the department commander of the Grand Army of the Republic of Iowa.

Read and referred to the Committee on Military.

House concurrent resolution, relative to printing of papers, records, and proceedings of the late quadrennial meeting of the old Law-makers of Iowa.

Read and referred to Committee on Appropriations.

PETITIONS AND MEMORIALS.

Senator Smith of Linn presented petition of C. W. Eaton, Yull & Hall, A. L. Daniels, Kurtz Bros., and 171 others of Linn county, asking a change in exemption laws.

Referred to Committee on Labor.

Senator Smith of Linn presented petition of citizens of Linn county, asking modification of prohibitory liquor law.

Leave granted to withdraw.

INTRODUCTION OF BILLS.

By Senator Smith of Linn, Senate file No. file No. 417, a bill for an act to amend chapter 134, of the laws of the Twenty-first General Assembly, relative to reorganizing the judicial districts of the State.

Read first and second times and referred to the Committee on Congressional and Judicial Districts.

On motion of Senator Dungan, Senate file No. 345, a bill for an act to secure more fully the independence of electors at public elections, to prevent intimidation and bribery, to secure the secrecy of the ballot and to provide for the use of Myers' patent American voting machine, with report of the committee recommending that it be indefinitely postponed, and Senate file No. 380, a bill for an act to provide for the use of Rhines' vote recording machine in all elections held in this State in cities containing ten thousand or more inhabitants after the fourth day of July, 1891, with report of the committee recommending that it be indefinitely postponed, were taken up and re-referred to the committee on the Myers' voting machine.

REPORTS OF STANDING COMMITTEES.

Senator Davidson, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have examined Senate file No. 144, a bill for an act authorizing cities to deepen, widen, straighten, wall up, cover, fill, alter, change or divert from its natural channel, and to conduct the same in artificial channels or into or through covered drains or sewers, to be constructed for the purpose, any water course or any part thereof, within the corporate limits of said cities, and to provide the manner in which the same shall be done, and to authorize the levy and collection of special tax, and the levy and collection of special assessments to defray the cost and expenses thereof.

Also, Senate file No. 7, a bill for an act to amend section 589 of the Code in reference to the election of County Auditor.

Also, Senate file No. 303, a bill for an act providing for the collection and preservation of historic records, and other valuable materials pertaining to the history of Iowa, and making an appropriation therefor.

Also, Senate file No. 5, a bill for an act to amend section 2094 of the Code of 1873, establishing "Labor Day" as a legal holiday, and find the same correctly enrolled.

D. B. DAVIDSON, *Chairman*.

Senator Kent, from the Committee on Fish and Game, submitted the following reports:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred Senate file No. 173, a bill for an act to amend chapter 9, of the laws of the 20th General Assembly, relating to the protection and preservation of fish in the permanent lakes and ponds within 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, as the same is provided for in Senate file No. 51.

WM. G. KENT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred Senate file No. 53, a bill for an act to abolish the office of Fish Commissioner 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.

WM. G. KENT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred Senate file No. 273, a bill for an act for the preservation and protection of fish, beg leave to report 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 the same is provided for in Senate file No. 51.

WM. G. KENT, *Chairman*.

Ordered passed on file.

Senator Smith of Wright, from the Committee on Commerce, submitted the following report:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred Senate file No. 82, a bill for an act to establish a board of inspectors for steam boilers and to provide for licensing engineers of steam engines, beg leave to report that they have had the same under consideration. The committee recommend a substitute, and have instructed me to report the same back to the Senate with the recommendation that when so substituted, that it do pass.

Also, the committee ask that 200 copies be printed.

W. C. SMITH, *Chairman*.

Ordered passed on file.

Senator Vale, from the Committee on Agriculture, submitted the following reports.

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 402, a bill for an act to provide for the protection of owners of stallions and the breeders of pure blooded horses, beg leave to report 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.

B. R. VALE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate file No. 403, a bill for an act to amend section 3977 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 amended as follows, viz.: By inserting the word "permanently" after the first "or" in the 2d line of the printed "bill;" also strike out the word "destroy" and insert "injure" in line 4, and strike out the word "destroyed" and insert

"injured" at the end of same line;" also strike out the word "destroyed" in the 7th line and insert "injured" in lieu thereof, and when so amended that the bill do pass.

B. R. VALE, *Chairman*.

Ordered passed on file.

Senator Price, from the Committee on Insurance, submitted the following reports:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 335, a bill for an act relating to fraternal beneficiary associations, societies, or orders, 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 indefinitely postponed, for the reason that there is not sufficient time to consider the same at this session.

RICHARD PRICE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 366, a bill for an act to provide insurance for the citizens of the State against loss of property by fire or lightning, beg leave to report 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.

RICHARD PRICE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 124, a bill for an act to prevent the forfeiture of insurance policies in certain cases and to designate where the burden of proof shall be in such cases, 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 indefinitely postponed, for the reason that there is not sufficient time to consider the same at this session.

RICHARD PRICE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 237, a bill for an act to provide against the violation of any breach or warranty in a policy of fire insurance, 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 indefinitely postponed, for the reason that there is not sufficient time to consider the same at this session.

RICHARD PRICE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 318, a bill for an act in relation to fire insurance, 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 indefinitely postponed, for the reason that there is not sufficient time to consider the same at this session.

RICHARD PRICE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate file No. 368, a bill for an act to amend section 812 of the Code, and to provide insurance for property holders of the State of Iowa against loss of property by fire or lightning, beg leave to report 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.

RICHARD PRICE, *Chairman*.

Ordered passed on file.

Senator Woolson, from the Committee on Judiciary, submitted the following reports:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 263, a bill for an act legalizing the revised ordinances of the city of Independence, in Buchanan 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. 265, a bill for an act to permit the Independence Rush Railway Company to pass over the ground of the State used for the Hospital for the Insane at Independence, 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: Amend section 1 by adding at the end thereof the following: "Provided, that in case said railway, when the same shall have been constructed over the grounds of the State as herein provided, shall cease to be operated or used over said grounds for more than two years, all rights and privileges of said railway over and upon said grounds shall thereupon cease and terminate." Also, amend by adding at the end of section 2 the following: "Provided, that the said trustees are hereby authorized to prescribe such reasonable rules and regulations with reference to the operation of said railway over said line within said grounds, as they may find proper and necessary." 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. 416, a bill for an act to legalize the extension of Benz street in the incorporated town of Lawler, 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. 302, a bill for an act to legalize the organization of the Des Moines Conference of the Evangelical Association 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.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 304, a bill for an act to legalize the acts of L. L. Langworthy, justice of the peace in and for Massena township, Cass 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. 386, a bill for an act to legalize the incorporation of "the Cerro Gordo County Agricultural Society," and the acts and proceedings thereof, and to provide for and authorize the recording of a copy of the articles of incorporation of said society in the office of the county recorder of Cerro Gordo county, and the filing of said copy in the office of the Secretary of 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 amended by adding at the end of section 3, the same being the publication clause, the words, "without expense to the State," 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. 395, a bill for an act to legalize the incorporation of "The Deep River Farmers' Alliance Stock Company," at Deep River, Poweshiek county, 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 Senate file No. 411, a bill for an act to legalize the incorporation of the town of Grand

Mound, Clinton 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.

Senator Seeds, from the Committee on Compensation of Public Officers, submitted the following reports:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 396, a bill for an act relating to the salary of attorney-general, beg leave to report 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.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 204, a bill for an act amending and supplementary to chapter 56, of the acts of the 17th General Assembly of the State of Iowa, requiring that officers in certain cities may receive fixed salaries, and prohibiting the collection of any fees by such officers from counties for themselves, or for the use and benefit of such 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.

ED. P. SEEDS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate file No. 205, a bill for an act amending and supplementary to chapter 134 of the acts of the Fourteenth General Assembly of the State of Iowa, regarding the fees of justices of the peace and providing salaries for certain justices of the peace in lieu of 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 it be indefinitely postponed for the reason that a similar bill has been reported back favorably.

ED. P. SEEDS, *Chairman*.

Ordered passed on file.

The Senate adjourned.

AFTERNOON SESSION.

The Senate reconvened at 2 o'clock P. M.

Lieut.-Gov. Poyneer in the chair.

The journal of yesterday was corrected and approved.

The Senate took up for consideration the special order, it being Senate file No. 77, a bill for an act to provide for the establishment, of a board of supervision of State institutions and offices, and on motion of Senator Wolfe, was postponed for 10 minutes.

BILLS ON THIRD READING.

The Senate took up bills on third reading:

Senate file No. 327, a bill for an act to legalize the proceedings of the board of supervisors of Johnson county, Iowa, in locating and causing to be constructed a ditch in Fremont township in said county, known as the Walker ditch, and to provide for an assessment and levy of the costs and expenses thereof, on the lands benefited thereby, with amendment by the House.

On the question shall the Senate concur in the amendment by the House?

The yeas were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Davidson, Dodge, Dungan, Gatch, Goble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—44.

The nays were—none.

Absent or not voting:

Senators Cassatt, Clyde, Engle, Finn, Funk, Smith of Linn—6.

So the amendment was concurred in.

Senate file No. 326, a bill for an act to legalize the proceedings of the board of supervisors of Johnson county, Iowa, in locating and causing to be constructed a ditch in Fremont township, in said county, known as the Alcock ditch, and to provide for an assessment and levy of the costs and expenses thereof, on the lands benefited thereby, with amendment by the House.

On the question, shall the Senate concur in the amendment by the House?

The yeas were:

Senators Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Davidson, Dungan, Engle, Finn, Gobble, Grone-
weg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon,
McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Reiniger,
Rich, Schmidt, Seeds, Shields, Smith of Wright, Stewart, Taylor, Vale,
Weidman, Wolfe, Woolson—42.

The nays were—none.

Absent or not voting:

Senators Bailey, Cassatt, Clyde, Dodge, Funk, Gatch, Price, Smith
of Linn—8.

So the amendment was concurred in.

Senator Parrott, from the Committee on Ways and Means, sub-
mitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred the resolution instructing the committee to report a bill providing for an extra half mill levy for the years 1890 and 1891, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the following bill to the Senate with the recommendation that it do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Committee on Ways and Means introduced Senate file No. 418, a bill for an act to provide for the levy of one-half mill State tax for the years 1890 and 1891, for the purpose of properly meeting the necessary requirements of the State institutions, and for other purposes.

Read first and second times, and on motion of Senator Parrott was taken up and considered.

Senator Reiniger moved to amend the bill as follows: Strike out of the 5th line the words, "and 1890."

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bills, Bolter, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Groneweg, Harsh, Kegler, Mack, Price, Reiniger, Stewart, Taylor, Vale—18.

The nays were:

Senators Bailey, Ballingall, Barrett, Bayless, Brower, Caldwell, Cleveland, Funk, Gatch, Gobble, Hanchett, Kelly, Kent, Lawrence, Mattoon, McCoy, Meservey, Mills, Mosnat, Parrott, Perkins, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Wolfe, Woolson—29.

Absent or not voting:

Senators Cassatt, McVay, Weidman—3.

So the amendment was lost.

Senator Price moved the previous question.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Groneweg, Kegler, Kelly, McVay, Perkins, Price, Shields—8.

The nays were:

Senators Bailey, Ballingall, Barrett, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Gatch, Gobble, Hanchett, Kent, Mack, Mattoon, McCoy, Meservey, Mills, Mosnat, Parrott, Reiniger, Rich, Schmidt, Seeds, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—37.

Absent or not voting:

Senators Bayless, Cassatt, Funk, Harsh, Lawrence—5.

Lost, and the previous question was not seconded.

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 Bailey, Barrett, Bayless, Bills, Brower, Caldwell, Cleveland, Funk, Gatch, Gobble, Hanchett, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Wolf, Woolson—31.

The nays were:

Senators Ballingall, Barnett, Bolter, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Groneweg, Harsh, Kegler, Price, Reiniger, Stewart, Taylor, Vale—17.

Absent or not voting:

Senators Cassatt, Weidman—2.

So the bill passed and the title was agreed to.

QUESTION OF PRIVILEGE.

Senator Ballingall arose to a question of privilege, and said:

MR. PRESIDENT—I did not vote against the appropriation of \$100, but against the naming of any amount, leaving the custodian to decorate suitable to the occasion. I regret that it should be made the occasion to refer to the inaugural. Let me say here that no money was spent in decoration, and that the simplicity was a matter of comment, and that the military display was for the benefit of the cities from which they came. It was money that should not be charged to the inaugural, but was

money well spent to encourage our militia. I hope that the mistakes have been explained satisfactorily, and that Iowa's official servants will welcome its soldier heroes, not with cheap, gaudy trimmings, worth less than \$100, but with open hands and warm hearts, to this, their own beautiful capitol, with its marble halls and beautiful frescoes, one of the best, in the best State, of the best union of States in the world.

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:

H. F Nos. 37, 47, 94, 134, 155, 165, 354 and 436.

H. S. WILCOX, *Chief Clerk.*
Per S.

The Senate resumed consideration of the special order, it being Senate file No. 77, a bill for an act to provide for the establishment of a board of supervision of State institutions and offices.

Senator Shields moved to suspend the consideration of the special order for 30 minutes.

Senator Finn moved to amend by striking out the words "thirty minutes" and inserting the words "ten days."

On this the yeas and nays were demanded.

The yeas were—none.

The nays were:

Senators Bailey, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Mack, Mattoon, McCoy, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe and Woolson—45.

Absent or not voting:

Senators Ballingall, Cassatt, Kent, Lawrence and McVay—5.

So the amendment was lost.

The question now being on the adoption of the original motion, it was lost.

Senator Woolson moved that Senate file No. 321, a bill for an act creating and establishing an appellate court and defining the powers and jurisdiction thereof, with report of a majority of committee recommending amendments and that it do pass, be made a special order for Saturday at 10:30 o'clock A. M.

Carried.

The Senate resumed consideration of the special order, Senate file

No. 77, a bill for an act to provide for the establishment of a board of supervision of State institutions and offices.

The question being on the adoption of the amendment offered by Senator Clyde to sec. 5, it was lost.

Section 6 was now considered.

The first amendment proposed by the committee was adopted.

The second committee amendment was adopted.

The third committee amendment was adopted.

The fourth committee amendment was adopted.

The fifth committee amendment was adopted.

The sixth committee amendment was adopted.

Senator Seeds moved to strike out the word "public" in the 4th line.

Carried.

Senator Bayless moved to strike out the words, "council of any," in the 6th line of the printed bill.

Carried.

Senator Woolson moved to amend by adding after the tenth line:

And no witness shall be excused from testifying because the testimony sought to be elicited might tend to connect such witness with any fraud or illegal transaction, but the testimony thus elicited shall not be used, or permitted to be used, in any civil or criminal proceeding against such witness.

Adopted.

Senator Seeds moved to amend as follows:

Add to paragraph two (2), after the word "assembly," in line 14 of section 6, the following: "Said regular biennial report to the Legislature to be made not later than October 1st in the year preceding the meeting of the general assembly."

Adopted.

Senator Reiniger moved to insert the word "they" in the eighth line the words "or either of them."

Carried.

Senator Gatch moved to amend by striking out all of the section after the word "institutions" in the 31st line of the printed bill.

Carried.

Senator Bayless moved to amend as follows:

Add at end of paragraph 7, section 6: "*Provided*, that before entering upon the construction of any new building, the erection of which has been authorized by the general assembly of Iowa, the board of trustees of such institution shall submit to the State board of supervision of State institutions, suitable plans and specifications by a competent architect, accompanied by a detailed statement of all materials and labor required for the completion of said structure, and no plan or

plans shall be adopted that contemplate the expenditure of more money for its completion than the amount appropriated for the construction of such building unless provided for in the act making such appropriation.

Adopted.

Senator Wolfe moved to strike out the word "by" in the 31st line of printed bill and insert the word "as."

Carried.

Senator Parrott moved to amend as follows:

Insert after the word "as" in line 22 of fifth paragraph of section 6, the words "additional buildings or," and by striking out the word "an" before the word "enlargement" in the same line.

Adopted.

Senator Barrett moved to strike out the word "by" in the 30th line and insert the words "with the."

Adopted.

Senator Wolfe moved to strike out the words "occupied as" in the 31st line, printed bill, and insert the word "for."

Carried.

Senator Dungan moved to strike out at the end of the 35th line printed bill the words "or municipal."

Carried.

Senator Kegler moved to insert after the word "report" in the 34th line printed bill the words "to the Governor."

Adopted.

Senator Gatch moved that the further consideration of this bill be postponed until 10:15, A. M., to-morrow, and that it be a special order for that hour.

Carried.

INTRODUCTION OF BILLS.

By Senator Wolfe, Senate file No. 419, a bill for an act to amend section 1, chapter 158, laws of the Twenty-first General Assembly, relative to salary of messenger in State Library.

Read first and second times and referred to the Committee on Compensation of Public Officers.

By Senator Barrett, Senate file No. 420, a bill for an act to provide for the purchase of land, and to secure plans for an additional hospital for the insane in northwestern Iowa.

Read first and second times and referred to the Committee on Appropriations.

Senator Davidson, from the Committee on Enrolled Bills, submitted the following reports:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate file 144, an act authorizing cities to deepen, widen, straighten, wall-up, cover, fill, alter, change or divert from its natural channel, and to conduct the same in artificial channels, or into or through covered drains, or sewers, to be constructed for the purpose, any water course, or any part thereof, within the corporate limits of said cities, and to provide the manner in which the same shall be done, and to authorize the levy and collection of special tax, and the levy and collection of special assessments to defray the cost and expenses thereof.

Also:

Senate file 303, an act providing for the collection and preservation of historic records and other valuable material pertaining to the history of Iowa, and making an appropriation therefor.

Also:

Senate file No. 7, an act to amend section 589 of the Code in reference to the election of county auditor.

Also:

Senate file No. 5, an act to amend section 2094, of the Code of 1873, establishing "Labor Day" as a legal holiday.

D. B. DAVIDSON, *Chairman*.

Senator Clyde, from the Committee on Corporations, submitted the following reports:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No. 121, a bill for an act establishing and governing mutual loan and building associations, beg leave to report 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. F. CLYDE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No. 356 a bill for an act fixing and regulating the rental for use of telephones, and all charges or rates for toll service in cities and towns, beg leave to report 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. F. CLYDE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred Senate file No. 249, a bill for an act providing a substitute for chapter 6, of title 9, for establishing and governing mutual loan and building associations, 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 indefinitely postponed.

J. F. CLYDE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Corporations, to whom was referred House file No. 123, a bill for an act relating to dissolutions of 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 do pass.

J. F. CLYDE, *Chairman*.

Ordered passed on file.

Senator Bailey presented the following report from the Special Committee on the World's Fair to be held at Chicago.

MR. PRESIDENT—The Special Committee to whom was referred Senate file No. 333, also House concurrent resolution, by Luke of Franklin, and the memorial of the President and Executive Committee of the Iowa State Teachers' Association, all relating to participation by the State of Iowa in the proposed "Columbian Exposition" or World's Fair, to be held at Chicago, in 1892 or 1893, beg leave to report that we have had the same under consideration, and we find that:

1. Since the subject-matter was committed to us the National House of Representatives has passed the bill providing for the proposed exposition, with an amendment postponing the date thereof until A. D. 1893. Your committee is advised by Iowa's Senior Senator that the national Senate will probably concur in this postponement. Such a decision in a measure seems to avoid the imperative necessity of making an immediate and unconditional appropriation for a proper and creditable exhibition in that fair of the many and varied resources of our State. Nevertheless, in view of the possibility that Congress may yet reconsider the action of the House and decide to hold the exposition as originally contemplated in A. D. 1892, your committee is of the opinion that a conditional appropriation should be made by this General Assembly. The final decision of this question by Congress is most likely not to be made until after the adjournment of this body and it would be a serious misfortune if another change in date should be deemed advisable when a special session would be necessary to meet the emergency. For this reason your committee has prepared a substitute for S. F. No. 333, which is submitted herewith. In our opinion the substitute covers the contingencies to which reference has been made.

2. Your committee while naming no specific sum in the substitute bill, as the amount for the major appropriation, are unanimously of the opinion that \$50,000 is the very least that should be devoted to this purpose; and we believe that \$100,000 could be wisely and advantageously expended. The people of Iowa have had such unbounded confidence in the superiority of our agricultural, mineral, industrial and educational advantages that they have been laggards in properly advertising our State before the world.

With a blue grass region equaling in quality and excelling in extent the limited area which has long given Kentucky pre-eminence; with a well earned reputation for superlative excellence in our dairy products; with cattle roaming our prairies unrivaled in individual superiority and breeding; with an annual corn and hog product exceeding those of any sister commonwealth, we are able to add to them

magnificent water powers, the cheapest fuel, and other attractions to the manufacturer, yet as a State we have seemingly been content to let other people learn of these excellences by the slow process of private discovery, while sister states of lesser advantages, by sharp advertising and "keeping before the people" have drawn to their soil the vast army of emigrants pouring westward with the course of the empire. While Iowa no longer offers homes to the homesteader, she does open her doors to the emigrant of small means who seeks a commonwealth where churches and school houses indicate the highest type of intelligence and moral worth, and where prosperity is certain to follow frugal industry.

3. Iowa should say by its action that it will not merely participate in the great "Columbian Exposition" but will be second to no other state in this direction. We should determine this question now, in order that during the next two years our educators, our manufacturers, our artisans and our agriculturists may be planning to unite in a common effort for giving Iowa, not a boom but a fair, just and creditable presentation to the vast throng who will be attracted from every state in the nation, and from foreign lands, to the greatest exposition the world has ever witnessed.

A. K. BAILEY,
WILLIAM O. SCHMIDT,
BEN. MCCOY,
J. B. HARSH,
P. B. WOLFE,
Committee.

A BILL

FOR AN ACT TO PROVIDE FOR A CREDITABLE EXHIBIT OF THE RESOURCES OF THE STATE OF IOWA, IN THE "COLUMBIAN EXPOSITION," OR WORLD'S FAIR, TO BE HELD IN CHICAGO.

WHEREAS, Congress is now considering, and the House of Representatives has already passed a bill, providing for a World's Fair, to be known as the "Columbian Exposition," and held at Chicago during the year 1892 or 1893; and

WHEREAS, It is highly desirable that the agricultural, mineral, mechanical, industrial, educational and other resources and advantages of the State of Iowa shall be creditably represented in such exposition, therefore,

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the Executive Council be, and is hereby authorized and directed to appoint an exhibition committee, to be known as the "Iowa Columbian Commission." Such commission shall consist of eleven members, to be selected one from each congressional district in the State, and shall have full power to devise and execute plans for the State exhibit herein contemplated, take charge of the same, and disburse the appropriations. It may appoint such officers and associates as in its judgment may be necessary for the carrying out of the purposes of this act, including the right to delegate to an executive committee the duty and power to execute all or any plans that may be devised or ordered by such commission. One member thereof shall be chosen to act as treasurer, and he shall be (*ex officio*) custodian of the moneys herein appropriated; but before entering upon the duties of such position he shall furnish a bond, subject to the approval of the executive committee, and running to the State of Iowa, in a penal sum equaling the amount herein appropriated. If the said "Columbian Exposition" is held during the year

1892, the commission created by this section shall be appointed at some time prior to January 1, 1891; and if held in 1893, then it may be appointed at any time before January 1, 1892. Any vacancy occurring in said commission shall be filled by the Executive Council by the choice of some citizen residing in the congressional district wherein such vacancy occurs. The commission herein created shall receive as compensation for the service of its members not to exceed four dollars, and actual necessary expenses, for each day actually engaged in the work of the commission.

SEC. 2. The sum of ——— dollars is hereby appropriated out of any money in the State treasury not otherwise appropriated for the purpose of carrying into execution the intent of this act; *provided*, that if said fair or exposition be not held before 1893, not more than ten per cent of the sum hereinbefore named shall be drawn from the State treasury before the convening of the 24th General Assembly, and the remainder shall be covered back into the treasury, and the subject of further appropriation shall be referred to the said 24th General Assembly; but no part of any such appropriation shall be drawn from the State treasury until the commission, through its duly chosen officers, shall certify to the auditor of State that the same is actually necessary for disbursement, and shall then be drawn only in portions, not exceeding one-fourth the amount appropriated, as may from time to time be requisite. All payments of money by the treasurer must be upon complete vouchers and under conditions to be fixed by said commission. At the close of its services the commission shall make to the Governor a statement of its proceedings, which shall include a list of all disbursements, with complete vouchers therefor attached.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, April 4, 1890. }

The Senate met in regular session at 10 o'clock A. M.

Lieut.-Gov. Poyneer in the chair.

Prayer by Rev. B. F. W. Cozier, of M. E. church, Des Moines.

PETITIONS AND MEMORIALS.

Senator Dungan presented petition of David Knox and twenty-seven others asking for the passage of Senate files Nos. 72 and 134, relative to semi-monthly payments and liabilities of mine owners.

Referred to Committee on Mines and Mining.

Senator Hanchett presented petition of L. Lucas and 9 others from Defense Alliance No. 1288, Butler county, asking for a law requesting the railroad commissioners to establish joint rates.

Also, petition of same parties asking some relief in the way of cheap text-books and some uniformity.

Passed on file.

Senator Stewart presented petition of Frank Morse, John M. Hanton and 35 others of Poweshiek county, asking for no change in the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Bailey presented petition of Andrew Ellistad and 22 other republicans of Winneshiek county, Iowa, asking a modification of the prohibitory liquor law.

Referred to Committee on Suppression of Intemperance.

Senator Seeds presented petition of Thomas Smith and others of Dubuque county, asking the legislature to pass an act legalizing certain acts of independent district of Farley.

Referred to Committee on Judiciary.

Senator Meservey presented petition of Frank Speicher and 37 other republican voters of Plymouth county, asking for a modification of prohibitory liquor law.

Referred to Committee on Suppression of Intemperance.

The President presented petition of I. K. Crane and thirty others in favor of locating a normal school by a commission.

Referred to Committee on Educational Institutions.

Senator Harsh presented petition of Jo. Wirth, Jas. McCloy and 43 other citizens of Creston, Iowa, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Smith of Wright presented petition of citizens of Hamilton county, asking for a law establishing joint rates on railways.

Referred to Committee on Railways.

Senator Smith of Wright presented petition of A. Wright and 79 other citizens of Wright county, asking for change in the exemption laws.

Referred to Committee on Judiciary.

Senator Finn presented petition of C. K. Garretson and others, asking for a law making it the duty of railroad commission to establish joint rates.

Referred to Committee on Railways.

Senator Finn presented petition of F. J. Moyle and others, for a law for State uniformity of text-books to be furnished at cost by the State.

Referred to Committee on Schools.

Senator Reiniger presented petition of citizens of Floyd county, asking legislation to regulate peddlers by amending the present law.

Placed on file.

INTRODUCTION OF BILLS.

By Senator Dungan, Senate file No. 421, a bill for an act relating to notices to take depositions.

Read first and second times and referred to the Committee on Judiciary.

By Senator Gatch, Senate file No. 422, a bill for an act to legalize certain ordinances of the incorporated town of Polk City, Polk county, Iowa.

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 herewith present for your signature H. F. No. 25, which has passed both branches of this G. A., been duly enrolled and signed by the Speaker of the House.

H. S. WILCOX, *Chief Clerk.*
Per S.

Senator McCoy moved to consider his motion filed to re-consider the vote by which the substitute to Senate file No. 168, a bill for an

act to establish and maintain a normal school at Algona, Kossuth county, Iowa, was lost.

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Barrett, Bayless, Brower, Cleveland, Dodge, Dungan, Funk, Gobble, Hanchett, Harsh, Kelly, Kent, Mattoon, McCoy, Mills, Parrott, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Wright, Woolson—24.

The nays were:

Senators Bailey, Bills, Bolter, Caldwell, Clyde, Davidson, Finn, Gatch, Groneweg, Kegler, Mack, Meservey, Mosnat, Perkins, Stewart, Taylor, Vale, Weidman, Wolfe—19.

Absent or not voting:

Senators Barnett, Cassatt, Engle, Lawrence, McVay, Price, Smith of Linn—7.

So the motion prevailed.

The hour having arrived for consideration of the special order, it being Senate file No. 77, a bill for an act to provide for the establishment of a board of supervision of State institutions and offices, it was taken up.

Senator Funk moved to postpone consideration of the special order until the substitute for Senate file No. 168, a bill for an act to establish and maintain a normal school at Algona, Kossuth county, Iowa, is disposed of.

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Bayless, Brower, Caldwell, Cleveland, Dodge, Dungan, Funk, Gatch, Gobble, Hanchett, Harsh, Kelly, Kent, Mattoon, McCoy, McVay, Mills, Parrott, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Wright, Vale, Woolson—27.

The nays were:

Senators Barrett, Bills, Bolter, Cassatt, Clyde, Davidson, Engle, Finn, Groneweg, Kegler, Mack, Meservey, Mosnat, Perkins, Price, Smith of Linn, Stewart, Taylor, Weidman, Wolfe—20.

Absent or not voting:

Senators Barnett, Bailey, Lawrence—3.

So the motion prevailed.

Senator McCoy moved to reconsider the vote by which Senate file No. 168, a bill for an act to establish and maintain a normal school at Algona, Kossuth county, Iowa, was lost.

Senator Finn moved to lay the motion on the table.

Lost.

The question being on the motion of Senator McCoy to reconsider.

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Barrett, Bayless, Brower, Cleveland, Dodge, Dungan, Funk, Gobble, Hanchett, Harsh, Kelly, Mattoon, McCoy, McVay, Mills, Parrott, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Wright, Vale, Weidman, Woolson—26.

The nays were:

Senator Bailey, Barnett, Bills, Bolter, Caldwell, Cassatt, Clyde, Davidson, Engle, Finn, Gatch, Groneweg, Kegler, Kent, Mack, Meservey, Mosnat, Perkins, Price, Smith of Linn, Stewart, Taylor, Wolfe—23.

Absent or not voting:

Senator Lawrence—1.

So the motion prevailed.

Senator Hanchett moved to reconsider the vote by which the rule was suspended and the bill placed on third reading.

Senator Bolter moved to lay the motion on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Barnett, Barrett, Bills, Bolter, Caldwell, Cassatt, Clyde, Davidson, Engle, Finn, Gatch, Groneweg, Kegler, Kent, Mack, Meservey, Mosnat, Perkins, Price, Smith of Linn, Stewart, Taylor, Weidman, Wolfe—26.

The nays were:

Senators Bayless, Brower, Cleveland, Dodge, Dungan, Funk, Gobble, Hanchett, Harsh, Kelly, Mattoon, McCoy, McVay, Mills, Parrott, Reiniger, Rich, Schmidt, Seeds, Smith of Wright, Vale, Woolson—22.

Absent or not voting:

Senators Lawrence, Shields—2.

So the motion prevailed.

The question now being upon the passage of the bill.

On the question, shall the bill pass?

The yeas were:

Senators Barrett, Bills, Dungan, Gatch, Gobble, Hanchett, Kegler, Kelly, Mack, Mattoon, McCoy, Meservey, Stewart, Weidman, Woolson—15.

The nays were:

Senators Bailey, Ballingall, Barnett, Bayless, Bolter, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dodge, Engle, Finn, Groneweg, Harsh, Kent, McVay, Mills, Mosnat, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Taylor, Vale, Wolfe—32.

Absent or not voting:

Senators Funk, Lawrence, Parrott—3.

So the bill was lost.

The Senate now resumed consideration of the special order, it being Senate file No. 77, a bill for an act to provide for the establishment of a board of supervision of State institutions and offices.

Section 7 was now considered.

Senator Parrott moved to strike out all of section 7 after the word "full," in the 11th line.

Carried.

Section 8 was now considered.

Senator Reiniger moved to strike out of the first line the words, "and of each State office."

Carried.

Section 9 was now considered.

On the adoption of the amendment proposed by the committee the yeas and nays were demanded.

The yeas were:

Senators Bailey, Bayless, Bills, Cassatt, Cleveland, Dodge, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, McCoy, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Schmidt, Smith of Wright, Taylor and Vale—25.

The nays were:

Senators Barnett, Bolter, Caldwell, Clyde, Dungan, Engle, Finn, Mack, Rich, Weidman, Wolfe and Woolson—12.

Absent or not voting:

Senators Ballingall, Barnett, Brewer, Davidson, Funk, Lawrence, Mattoon, McVay, Mosnat, Seeds, Shields, Smith of Linn and Stewart—13.

So the amendment was adopted.

Section 10 was now considered.

Senator Groneweg moved to strike out the word "commissioner" and insert "supervisors" in the 4th line of section 10.

Carried.

Section 11 was now considered.

Senator Woolson moved to add at the end of the section the words, "nor shall any member of the 23d General Assembly be appointed on said board at its first organization."

Carried.

Senator Reiniger moved to strike out the words "shall be" in second line, and insert the word "is."

Senator Groneweg moved to amend the amendment by striking out

all after the word "county," to and including the word "located," in second line.

On this the yeas and nays were demanded.

The yeas were:

Senators Cleveland, Groneweg, Harsh, Kelly, McVay, Mosnat, Perkins, Schmidt, Seeds, Wolfe, Woolson—11.

The nays were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Clyde, Davidson, Dungan, Engle, Funk, Gatch, Gobble, Hanchett, Kegler, Kent, Mack, Mattoon, McCoy, Meservey, Mills, Parrott, Price, Reiniger, Rich, Smith of Wright, Stewart, Taylor, Vale, Weidman—33.

Absent or not voting:

Senators Cassatt, Dodge, Finn, Lawrence, Shields, Smith of Linn—6.

So the amendment to the amendment was lost.

The question now being on the adoption of the original amendment offered by Senator Reiniger, it was adopted.

Senator Seeds moved to amend as follows: Insert after the word "located" in the second line, the words "nor in any senatorial district having such institution within its bounds."

Lost.

Section 12 was now considered.

Senator Wolfe moved to amend as follows:

Add to the end of the section the words, "provided that the Board of Trustees of the Hospitals for the Insane, located at Mt. Pleasant, Henry county; Independence, Buchanan county; and Clarinda, Page county; the Industrial School for Boys at Eldora, Hardin county, and the Industrial School for Girls at Mitchellville, Polk county; the Institution for the Deaf and Dumb at Council Bluffs, Pottawattamie county; the Institution for the Feeble Minded at Glenwood, Mills county; the Soldiers' Orphans' Home at Davenport, Scott county; the College for the Blind at Vinton, Benton county; and the board of commissioners for the Soldiers' Home at Marshalltown, Marshall county, shall be reduced on the passage of this act, where there are more than three trustees, to three, and said board shall be and are hereby abolished on the first day of February, 1892."

Senator Bolter offered the following substitute:

SECTION 13. That said board of supervisors, by and until the approval of the Governor, shall, on or before the 31st day of January, 1892, reduce the membership on the several boards of the institutions named in section 12 of this act, and as follows: On each of the State charitable institutions the members of the board shall be reduced to three, and respective boards of each of the educational institutions shall be reduced to five.

Pending consideration of which, the Senate adjourned.

AFTERNOON SESSION.

The Senate re-convened at 2 o'clock P. M.

Lieut.-Gov. Poyneer in the chair.

The hour having arrived for consideration of the special order, it being Senate file No. 2, a bill for an act creating a board of school book commissioners and to provide for the furnishing text-books for the use of the common schools of the State, with report of a majority of committee recommending substitute and when adopted it do pass, was taken up, and on motion of Senator Bayless, was made a special order to follow Senate file No. 60, a bill for an act to repeal chapter 69, laws of the Sixteenth General Assembly, and to enact a substitute therefor, relating to vagrants.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—The House has passed, and asks the concurrence of the honorable Senate in H. F. No. 166, a bill for an act to repeal chapter 45 of the laws of the Seventeenth G. A., and to enact a substitute therefor to establish a weather and crop service and for the collection and dissemination of crop statistics and meteorological data.

H. S. WILCOX, *Chief Clerk.*
Per S.

The Senate resumed consideration of the Special order, it being Senate file No. 77, a bill for an act to provide for the establishment of a board of supervision of State institutions and offices.

Senator Finn moved to postpone consideration of special order not more than thirty minutes.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barrett, Bayless, Bills, Brower, Caldwell, Davidson, Dungan, Engle, Finn, Harsh, Mack, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Wright, Stewart, Vale, Weidman, Woolson—24.

The nays were:

Senators Bolter, Brower, Cleveland, Clyde, Dodge, Funk, Gatch, Gobble, Groneweg, Hanchett, Kegler, Kelly, Kent, Mattoon, McCoy, Mosnat, Rich Schmidt, Taylor, Wolfe—20.

Absent or not voting:

Senators Ballingall, Barrett, Cassatt, Lawrence, Shields, Smith of Linn—6.

So the motion prevailed.

On motion of Senator Finn, Senate file No. 65, a bill for an act to amend chapter 185, acts of the Twentieth General Assembly, in relation to the inspection and sale of products of petroleum, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Wolfe moved that the words "not exceeding" after the word "not" in the 6th line of the printed bill be stricken out.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barnett, Cassatt, Cleveland, Dodge, Engle, Gobble, Groneweg, Kelly, Kent, Mattoon, McCoy, McVay, Mosnat, Rich, Shields, Taylor, Wolfe—18.

The nays were:

Senators Ballingall, Barnett, Bayless, Bills, Bolter, Brower, Caldwell, Clyde, Davidson, Dungan, Finn, Funk, Hanchett, Harsh, Mack, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Wright, Stewart, Vale, Weidman, Woolson—27.

Absent or not voting:

Senators Gatch, Kegler, Lawrence, Schmidt, Smith of Linn—5.

So the amendment was lost.

Senator Shields moved that further consideration of this bill be postponed until next Wednesday, at 2 o'clock P. M., at which hour it be made a special order.

Senator Price moved the previous question.

Lost.

And the previous question was not seconded.

The question now being on the motion of Senator Shields to postpone. On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Bills, Cassatt, Cleveland, Clyde, Davidson, Dodge, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kelly, Kent, Mattoon, McCoy, Mills, Mosnat, Parrott, Rich, Schmidt, Shields, Smith of Wright, Taylor, Wolfe—25.

The nays were:

Senators Bailey, Barnett, Barrett, Bayless, Bolter, Brower, Dungan, Engle, Finn, Funk, Mack, McVay, Meservey, Perkins, Price, Seeds, Stewart, Vale, Weidman, Woolson—21.

Absent or not voting:

Senator Smith of Linn, Reiniger, Lawrence, Caldwell—4.

So the motion prevailed.

Senator Harsh moved that House file No. 174, a bill for an act for the punishment of pools, trusts, combinations and conspiracies, and as evidence in such cases, with report of the committee recommending that it do pass, be made a special order for 10:30 A. M., next Thursday. On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Barrett, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Harsh, Kegler, Kelly, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Perkins, Price, Rich, Shields, Smith of Wright, Taylor, Vale, Weidman, Wolfe Woolson—31.

The nays were:

Senators Bailey, Bayless, Bills, Bolter, Brower, Funk, Gatch, Gobble, Groneweg, Hanchett, Parrott, Reiniger, Schmidt, Seeds, Smith of Linn—15.

Absent or not voting:

Senators Ballingall, Kent, Lawrence and Stewart—4.

So the motion prevailed.

Senator Price moved to take up for consideration his resolution relative to charges against the State University.

Lost.

The Senate resumed consideration of the special order, Senate file No. 77, a bill for an act to provide for the establishment of a board of supervision of State institutions and offices.

The question being on the adoption of the substitute offered by Senator Bolter for the amendment offered by Senator Wolfe.

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Bolter, Engle, Gobble, Groneweg, Kegler, Kent, Mattoon, Mosnat, Perkins, Rich, Seeds, Stewart, Taylor—14.

The nays were:

Senators Bailey, Barnett, Brower, Caldwell, Cassatt, Cleveland, Clyde, Dungan, Funk, Gatch, Harsh, Kelly, Mack, McCoy, McVay, Meservey, Mills, Parrott, Price, Reiniger, Schmidt, Smith of Linn, Smith of Wright, Vale, Weidman, Wolfe, Woolson—28.

Absent or not voting:

Senators Barrett, Bayless, Bills, Davidson, Finn, Hanchett, Lawrence, Shields—8.

So the substitute was lost.

Senator Cleveland thus explained his vote:

As this bill under which we propose to create a board of supervision of our public institutions is largely experimental, and as this amendment seeks to legislate out of office trustees during the session of the next General Assembly, and before we can know how this law will operate, I vote "no."

W. F. CLEVELAND,

Senator Eighteenth District.

The question now being on the adoption of the original amendment offered by Senator Wolfe.

Senator Wolfe amended his amendment as follows: Amend the proviso by adding, "and the trustees who shall go out of office shall be those whose term of office will first expire."

Senator Gatch moved to strike from the amendment the words "and said boards shall be and are hereby abolished on the first day of February, 1892."

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Clyde, Davidson, Dungan, Funk, Gatch, Gobble, Hanchett, Harsh, Kegler, Kelly, Kent, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Reiniger, Rich, Seeds, Shields, Stewart, Taylor, Vale, Weidman, Woolson—35

The nays were:

Senators Barnett, Cassatt, Cleveland, Engle, Finn, Groneweg, Price, Schmidt, Smith of Linn, Wolfe—10.

Absent or not voting:

Senators Dodge, Lawrence, Mack, Mosnat, Smith of Wright—5.

So the amendment to the amendment was adopted.

Senator Mosnat was granted leave of absence.

Senator Bayless offered the following substitute for the amendment:

Amend section 12. The General Assembly shall not elect any members to fill vacancies on the board of trustees, commissioners, and regents for the several State institutions mentioned in this section, until said board shall, by the expirations of their term of office, be reduced to five members for educational institutions, and three for all charitable institutions provided, however, that the Iowa State University, the Iowa State Agricultural College and the State Normal School shall have boards of five members and the boards of each charitable institution shall consist of three members. The members of the several boards provided for in this section shall be elected by the legislature for the term of six years (except that such boards having three members), one shall go from the office in two years, one in four years, and one in six years. On such Board of Trustees and regents of the educational institutions of five members, two members shall go out of office in two years, two in four years, and one in six years.

Pending consideration of which Senator Gatch moved to postpone further consideration of this matter until to-morrow at 10:15, at which hour it be made a special order.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Davidson, Dungan, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kent, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Reiniger, Rich, Schmidt, Smith of Wright, Stewart, Taylor, Wolfe—35.

The nays were:

Senators Clyde, Engle, Finn, Kelly, Mack, Seeds, Shields, Weidman—8.

Absent or not voting:

Senators Woolson, Price, Mosnat, Lawrence, Dodge, Smith of Linn, Vale—7.

So the motion prevailed.

REPORTS OF STANDING COMMITTEES.

Senator Finn, from Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 90, a bill for an act to repeal section 1718 of the Code and enact a substitute therefor to provide that sub-directors shall be chosen for a term of 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 the same be indefinitely postponed.

G. L. FINN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 17, a bill for an act to provide for the appointment of county superintendents of schools by the board of supervisors of the several counties 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 indefinitely postponed.

G. L. FINN, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—The Committee on Printing, pursuant to resolution, hereby orders reprinted 300 copies of substitute for Senate file No. 6.

A. B. FUNK, *Chairman*.

The Senate adjourned.

EVENING SESSION.

The Senate met at 7:30 P. M.

Lieut.-Gov. Poyneer in the chair.

Senator Lawrence was excused for this session.

BILLS ON THIRD READING.

The Senate took up for consideration Senate file No. 322, a bill for an act to amend section one (1), chapter thirty-two (32), laws of the Eighteenth General Assembly of the State of Iowa, relating to extension of street railways over highways in certain cases.

On the question of concurring in the House amendment,

The yeas were:

Senators Ballingall, Barnett, Bayless, Bills, Brower, Caldwell, Cleveland, Clyde, Davidson, Dungan, Engle, Finn, Funk, Harsh, Kegler, Kelly, Kent, Mack, Mills, Mosnat, Parrott, Perkins, Reiniger, Rich, Seeds, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe Woolson—32.

The nays were—none.

Absent or not voting:

Senators Bailey, Barrett, Bolter, Cassatt, Dodge, Gatch, Gobble, Groneweg, Hanchett, Lawrence, Mattoon, McCoy, McVay, Meservey, Price, Schmidt, Shields, Smith of Linn—18.

So the amendment by the House was concurred in.

Senate file No. 112, a bill for an act to amend section 205 of the code of 1873, with report of committee recommending a substitute and that it do pass, was taken up, considered, and the substitute offered by the committee was adopted and read first and second times.

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 Bailey, Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Cleveland, Clyde, Davidson, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Meservey, Mills,

Mosnat, Parrott, Perkins, Reiniger, Rich, Seeds, Smith of Linn, Smith of Wright, Stewart, Vale, Weidman, Wolfe—35.

The nays were:

Senators Ballingall, Kent, Mack, Taylor—4.

Absent or not voting:

Senators Bolter, Cassatt, Dodge, Lawrence, Mattoon, McCoy, McVay, Price, Schmidt, Shields, Woolson—11.

So the bill passed and the title was agreed to.

Senate file No. 123, a bill for an act to repeal section 631 of the Code of 1873, of Iowa, and to enact a substitute therefor, with report of committee recommending amendments, and that it do pass, was taken up, considered, and the amendments recommended by the committee were adopted.

On motion of Senator Clyde the publication clause was stricken out.

On motion of Senator Wolfe the word "collector" was inserted before the words "justice of the peace."

On motion of Senator Clyde the words "of 1873 of Iowa" were stricken out of the first line.

Senator Clyde 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Cleveland, Clyde, Davidson, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Mack, Mattoon, McCoy, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—44.

The nays were—none.

Absent or not voting:

Senators Bolter, Cassatt, Dodge, Lawrence, McVay, Schmidt,—6.

Senator Clyde moved to strike out of the title the words "of 1873 of Iowa."

Carried.

Senator Clyde moved to amend the title by adding thereto the following: "in relation to canvass of township vote."

Carried.

So the bill passed and title as amended was agreed to.

On motion of Senator Finn, Senate file No. 3, a bill for an act providing for the payment of bank examination and fixing the fee for the same, with report of committee recommending amendments,

and that it do pass, was taken up, considered, and the amendments recommended by the committee were adopted.

Senator Parrott moved to strike out the preamble of the bill.

Carried.

Senator Barrett 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Rich, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale and Weidman—43.

The nays were—none

Absent or not voting:

Senators Cassatt, Dodge, Lawrence, Reiniger, Schmidt, Wolfe and Woolson—7.

So the bill passed and the title was agreed to.

Senate file No. 174, a bill for an act to prohibit railroad companies, owning or operating a line of railway in this State, from placing any hand-car, road-car, or other machinery, material or debris, within fifty feet of any public highway, where such public highway crosses said railway track, with report of the Committee recommending amendments and that it do pass, was taken up, considered, and the amendments recommended by the committee were adopted.

Senator Caldwell 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, Cleveland, Clyde, Davidson, Dungan, Engle, Finn, Funk, Groneweg, Harsh, Kegler, Kelly, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Rich, Seeds, Smith of Wright, Stewart, Vale, Weidman—33.

The nays were:

Senators Gatch, Gobble, Kent, Mattoon, Mosnat—5.

Absent or not voting:

Senators Bailey, Ballingall, Cassatt, Dodge, Hanchett, Lawrence, Schmidt, Shields, Smith of Linn, Taylor, Wolfe, Woolson—12.

So the bill passed and the title as amended was agreed to.

Senator Mills moved to suspend the rule and that calendar Nos. 16 and 171 exchange places on the calendar and that the Senate take up 171 for consideration, it being Senate file No. 132, a bill for an act to authorize certain cities of the second class to provide for construction of sewers.

Lost.

Senate file No. 133, a bill for an act to maintain a fire department in certain cities of the second class, 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 Price moved to strike out of section 1 all after the word "dollar" in the second line up to and including the word "law" in the third line, and insert the words, "provided the maximum tax now authorized by law is not exceeded."

Lost.

Senator Kelly moved to strike out the publication clause.

Carried.

Senator Reiniger moved to strike out all after the word "class" in the first line up to and including the word "State" in the second line.

Carried.

Senator Mills moved that the rule be suspended, and the bill be considered engrossed and read a first and second time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Caldwell, Cleveland, Davidson, Engle, Funk, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Mack, McCoy, Meservey, Mills, Mosnat, Parrott, Perkins, Reiniger, Rich, Seeds, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe—33

The nays were:

Senator Dungan—1.

Absent or not voting:

Senators Bills, Bolter, Brower, Cassatt, Clyde, Dodge, Finn, Gatch, Kent, Lawrence, Mattoon, McVay, Shields Woolson, Schmidt, Price—16

Senator Mosnat moved to strike out the word "certain" in the title.

Carried.

So the bill passed and the title as amended was agreed to.

Senate file No. 194, a bill for an act to more definitely designate the State board of examiners, as created by chapter 104, laws of the Twenty-second General Assembly, with report of committee recom-

mending a substitute and when adopted it do pass, was taken up and the substitute was read a first and second times and considered.

Senator Seeds moved to strike out the preamble.

Carried.

Senator Seeds moved to strike out the publication clause.

Carried.

The substitute recommended by the committee as amended, was adopted.

Senator Caldwell 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cleveland, Clyde, Davidson, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kelly, Kent, Mack, McCoy, Meservey, Mills, Parrott, Perkins, Reiniger, Rich, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—40.

The nays were—none.

Absent or not voting:

Senators Brower, Cassatt, Dodge, Kegler, Lawrence, Mattoon, McVay, Mosnat, Price, Schmidt—10.

So the bill passed and title was agreed to.

Senate file No. 188, a bill for an act concerning the printing of the biennial report of the Bureau of Labor Statistics, with report of committee recommending amendments and that it do pass, was taken up, considered, and the amendments recommended by the committee was adopted.

Senator Wolfe moved to strike out the word "22d" in the first line.

Carried.

Senator Barnett moved that the rule be suspended, and 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Cleveland, Clyde, Davidson, Dungan, Engle, Finn, Funk, Gobble, Groneweg, Harsh, Kegler, Kelly, Kent, Mack, Mattoon, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Rich, Seeds, Shields, Smith of Linn, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—39.

The nays were—none.

Absent or not voting:

Senators Brower, Caldwell, Cassatt, Dodge, Gatch, Hanchett, Lawrence, McCoy, Mosnat, Schmidt, Smith of Wright—11.

So the bill passed and the title was agreed to.

Senate file No. 42, a bill for an act conferring upon women the right to vote at school elections, with report of a majority of committee recommending that it do pass. A minority of committee recommending that it be indefinitely postponed, was taken up and considered.

Senator Gobble moved to substitute the report of the minority of the committee for that of the majority.

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Bayless, Bolter, Brower, Cleveland, Clyde, Gobble, Groneweg, Hanchett, Kegler, Kelly, Kent, Mattoon, Mosnat, Rich, Shields, Wolfe—17.

The nays were:

Senators Bailey, Barrett, Caldwell, Davidson, Dungan, Engle, Finn, Funk, Harsh, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Wright, Stewart, Vale, Weidman, Woolson—24.

Absent or not voting:

Senators Barnett, Bills, Cassatt, Dodge, Gatch, Lawrence, Schmidt, Smith of Linn, Taylor—9.

So the motion was lost.

Senator Finn moved to strike out the publication clause.

Carried.

Senator Engle moved that the bill be engrossed and read a third time to-morrow.

Senator Wolfe moved that the Senate do now adjourn.

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bolter, Groneweg, Hanchett, Mosnat and Wolfe—6.

The nays were:

Senators, Bailey, Ballingall, Barrett, Brower, Caldwell, Cleveland, Clyde, Davidson, Dungan, Engle, Finn, Funk, Gobble, Harsh, Kegler, Kelly, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Rich, Seeds, Smith of Wright, Stewart, Vale, Weidman, Woolson—33.

Absent or not voting:

Senators Barnett, Bills, Cassatt, Dodge, Gatch, Kent, Lawrence, Schmidt, Shields, Smith of Linn, Shields, Taylor—11. .

So the motion was lost.

Senator Finn moved the previous question.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Barrett, Caldwell, Clyde, Davidson, Dungan, Engle, Finn, Funk, Harsh, Kelly, Mack, McVay, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Seeds, Smith of Wright, Stewart, Vale Weidman, Woolson—27.

The nays were:

Senators Bayless, Bolter, Brower, Cleveland, Gobble, Groneweg, Hanchett, Kegler, Kent, Mattoon, McCoy, Meservey, Shields, Wolfe—14.

Absent or not voting:

Senators Barnett, Bills, Cassatt, Dodge, Gatch, Lawrence, Schmidt, Smith of Linn, Taylor—9.

Carried, and the previous question was seconded.

On the question, "shall the main question be now put?"

The yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Barrett, Brower, Caldwell, Davidson, Dungan, Engle, Finn, Funk, Harsh, Kelly, Mack, McVay, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Seeds, Smith of Wright, Vale, Weidman, Woolson—25.

The nays were:

Senators Bayless, Bolter, Brower, Cleveland, Gobble, Groneweg, Hanchett, Kegler, Kent, Mattoon, McCoy, Meservey, Shields, Stewart, Wolfe—14.

Absent or not voting:

Senators Barnett, Bills, Cassatt, Clyde, Dodge, Gatch, Lawrence, Schmidt, Smith of Linn, Taylor—11.

The main question was ordered put.

The question now 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 Bailey, Barrett, Caldwell, Clyde, Davidson, Dungan, Engle, Finn, Funk, Harsh, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Wright, Vale, Weidman, Wolfe, Woolson—25.

The nays were:

Senators Ballingall, Bayless, Bolter, Brower, Cleveland, Gobble,

Groneweg, Hanchett, Kegler, Kelly, Kent, Mattoon, Mosnat, Rich, Shields, Stewart—16.

Absent or not voting:

Senators Barnett, Bills, Cassatt, Dodge, Gatch, Lawrence, Schmidt, Smith of Linn, Taylor—9.

So the bill was ordered engrossed.

Senator Wolfe moved to reconsider the vote by which the bill was ordered engrossed.

On motion of Senator Wolfe, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, April 5, 1890. }

Senate met in regular session at 10 o'clock A. M.

Lieut.-Gov. Poyneer in the chair.

Prayer by Rev. Wm. Cope, of the M. E. Church, Des Moines.

On motion of Senator Parrott, Senate file No. 374, a bill for an act to relieve Mrs. A. Neet, of Reinbeck, with report of committee recommending amendments, and that it do pass, was taken up, considered, and the amendments recommended by the committee were adopted.

Senator Reiniger moved to strike out the words "county clerk" in the second line of section 9, and insert the words "clerk of the district court."

Carried.

Senator Woolson moved that wherever the words "county clerk" occurs in the bill it be stricken out and the words "clerk of the district court" inserted.

Carried.

Senator Reiniger moved to amend as follows: Add to the end of the 4th line of section 9, the words "and shall be subject to the order of the district court the same as other trustees."

Carried.

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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegley, Kelly, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrot, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Vale, Weidman, Wolfe, Woolson—46.

The nays were—none.

Absent or not voting:

Senators Cassatt, Dodge, Kent, Taylor—4.

So the bill passed and the title was agreed to.

On motion of Senator Meservey the Senate took up

HOUSE MESSAGES.

House file No. 166, a bill for an act to repeal chapter 45 of the laws of the Seventeenth General Assembly, and to enact a substitute therefor, to establish a weather and crop service, and for the collection and dissemination of crop statistics and meteorological data.

Read first and second times and on motion of Senator Meservey was made a special order for Monday at 3 o'clock P. M.

REPORTS OF STANDING COMMITTEES.

Senator Davidson, 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 155, an act to legalize the incorporation of the town of Paullina, O'Brien county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

Also, House file 436, an act to appropriate a certain sum of money to pay the expenses of the joint committee appointed to investigate certain charges against the State university of Iowa.

Also, House file 354, an act to legalize the incorporation of the town of Rock Valley, Sioux county, Iowa, the election of its officers, the official acts done and ordinances of said town.

Also, House file 165, an act to legalize the acts of Geo. C. Anderson, a justice of the peace in and for Otter Creek township, Linn county, Iowa.

Also, House file 37, an act to amend chapter 28, of the acts of the Twenty-second General Assembly, giving authority for the making of rates for the transportation of freight and cars over two or more lines of railroad within this State, and enlarging the powers and further defining the duties of the board of railroad commissioners.

Also, House file 134, an act to amend chapter 20 of the acts of the Twentieth General Assembly of Iowa, by including within the provisions thereof certain cities of the second class.

Also, House file 94, an act to amend sections 289 and 290 of the Code of 1873, as amended by chapter 91, laws of the Twenty-second General Assembly of the State of Iowa, relating to the bonding of county indebtedness.

Also, House file 47, an act to legalize the ordinances, resolutions, and proceedings of the council of the incorporated town of Albion, Marshall county, Iowa.

Also, House file 25, an act requiring all railroads, corporations, companies and persons operating a railroad, and doing business in Iowa to equip all their engines and cars with proper, efficient, and safe automatic couplers and brakes, and for prescribing penalties for failure thereof.

D. B. DAVIDSON, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate file No. 326, a bill for an act to legalize the proceedings of the board of supervisors of Johnson county, Iowa, in locating and causing to be constructed a ditch in Fremont township, in said county, known as the Alcock

ditch, and to provide for an assessment and levy of the costs and expenses thereof, and the lands benefited thereby.

Also, Senate file 327, a bill for an act to legalize the proceedings of the board of supervisors of Johnson county, Iowa, in locating and causing to be constructed a ditch in Fremont township, in said county, known as the Walker ditch, and to provide for an assessment and levy of the costs and expenses thereof, on the lands benefited thereby.

Also, Senate file No. 322, a bill for an act to amend section 7, chapter 32, laws of the 18th General Assembly of the State of Iowa, relating to extension of street railways over highways in certain cases, and find the same correctly enrolled.

D. B. DAVIDSON, *Chairman*.

Senator Funk, 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. 42, a bill for an act conferring upon women the right to vote at school elections, and find the same correctly engrossed.

A. B. FUNK, *Chairman*.

Senator Harsh, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate file No. 348, a bill for an act amending section 4299, chapter 2, title 13 of the Code, and also a large number of petitions referring thereto, beg leave to report that they have had the same under consideration and have, by a majority vote, instructed me to report the same back to the Senate with the recommendation that the bill and accompanying petitions be sent back to, or referred to, Committee on Judiciary, for the reason that the friends of the bill so desired in first instance sending their bill and petitions to Judiciary Committee of each body of this General Assembly; and for further reason that this committee has not had opportunity to dispose of other matters in its hands for weeks prior to receipt of this bill. Your committee answering the recitation in report of Judiciary Committee to the effect that a delegation of persons are in waiting to be heard, say that your committee is unable to find but one person, and he has already had a hearing before a sub-committee of said Judiciary Committee.

J. B. HARSH, *Chairman*.

So referred.

Senator Barrett, from the Committee on Congressional and Judicial Districts, submitted the following report:

MR. PRESIDENT—Your Committee on Congressional and Judicial Districts, to whom was referred Senate file No. 392, a bill for an act to amend chapter 134, laws of the 21st General Assembly, in relation to the fourteenth and sixteenth judicial 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.

O. M. BARRETT, *Chairman*.

Ordered passed on file.

Senator Meservey, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Joint Resolution No. 10, Joint Resolution and Memorial of the General Assembly of Iowa to the Congress of the United States in reference to the debt of the Union Pacific Railroad 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.

A. F. MESERVEY, *Chairman.*

Ordered passed on file.

Senator Finn, from the Committee on Schools, submitted the following reports:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 366, a bill for an act to provide a uniform series of school text-books for the schools of each 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 indefinitely postponed, for the reason that a substitute has been prepared and reported for all school text-book bills.

G. L. FINN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Schools, to whom was referred Senate file No. 203, a bill for an act to amend section 6, chapter 12, laws of the Eighteenth General Assembly, relating to the management of the permanent school fund, beg leave to report 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 committee has prepared and reported a substitute for all school text-book bills.

G. L. FINN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 371, a bill for an act to license the sale of school books within the State, and to provide for the purchase and distribution 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 indefinitely postponed, for the reason that they have prepared and reported a substitute for all school book bills.

G. L. FINN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 293, a bill for an act authorizing schools, districts, townships, and independent school districts, to purchase text-books and supplies, and sell the same to pupils in the schools at cost, beg leave to report 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 committee has prepared and reported a substitute for all school text-book bills.

G. L. FINN, *Chairman*.

Ordered passed on file.

Senator Barnett, 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. 349, a bill for an act for retrenchment and reform in relation to fixing telegraph charges from any point in the State of Iowa to any other point in said 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 indefinitely postponed, for the reason of want of time to fully consider the same; also, the limited time of session of this General Assembly.

J. H. BARNETT, *Chairman*.

Ordered passed on file.

Senator Perkins, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred petition of J. L. Brown, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate for its consideration, without recommendation.

GEO. W. PERKINS, *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. 34, 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 commemoration 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 the words "not less than half an acre in extent" in first line of section 2; also, by striking out the words "two thousand" in second line of section 5, and inserting the words "fifteen hundred," and when so amended that the bill do pass.

C. H. GATCH, *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. 72, 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 con-

sideration, and have instructed me to report the same back to the Senate with the recommendation that there being on the calendar a bill reported from the Committee on Labor on this subject, that this bill be indefinitely postponed.

WARREN S. DUNGAN, *Chairman*.

Ordered passed on file.

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. 7, a joint resolution proposing to amend section 1, of article 2, of the constitution of Iowa, 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.

ROBT. G. REINIGER, *Chairman*.

Ordered passed on file.

Senator Brower, from the Committee on Banks, submitted the following report:

MR. PRESIDENT—Your Committee on Banks, to whom was re-referred from Judiciary Committee Senate file No. 6, a bill for an act to amend chapter 9 of the Code of 1873, and to make the provisions of the same applicable to private banks, together with the substitute recommended by the Committee on Judiciary, beg leave to report 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 Funk, from Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate file No. 85, a bill for an act to amend chapter 86 of the 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.

A. B. FUNK, *Chairman*.

Ordered passed on file.

Senator Smith of Linn, from the Committee on Cities and Towns, submitted the following reports:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 358, a bill for an act granting to the city of Ottumwa all the title and interest of the State of Iowa in and to certain grounds 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.

J. H. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 125, a bill for an act to amend chapter 10 of the acts of the Twenty-second General Assembly, relating to the issue of water-works 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 it be indefinitely postponed for the reason that a similar bill has passed both houses.

J. H. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 376, a bill for an act to amend chapter 43, acts of the Twenty-second General Assembly, relating to the tax levy for ordinary county 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.

J. H. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred Senate file No. 377, a bill for an act to amend section 312 of the Code, in relation to issuing bonds by counties 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 it do pass.

J. H. SMITH, *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 amend sections 471, 472, 473, 474 and 475 of the Code of 1873, and chapters 11 and 26 of the acts of the 22d General Assembly, making said sections and chapters applicable to cities under special charters and to electric, heat and power plants; also, dispensing with the approval of voters to enable cities and towns to authorize electric plants, and ratifying acts heretofore done, beg leave to report 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. SMITH, *Chairman*.

Ordered passed on file.

Senator Parrott, from the Committee on Ways and Means, submitted the following reports:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate file No. 354, a bill for an act to amend sections 812 and 814 of the Code of Iowa, relating to the assessment of property for taxation and exemptions therefrom, 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*.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred House file No. 169, a bill for an act to legalize the levy of certain taxes for certain 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 be referred to the Judiciary Committee.

MATT PARROTT, *Chairman*.

So referred.

Senator Seeds, from the Special Committee on Trusts, filed the notes of the stenographer and record of the proceedings of the committee, which, on motion of Senator Harsh, were referred to the Committee on Printing, with instructions to ascertain the costs of printing the same and make report.

The hour having arrived for consideration of the special order, it being Senate file No. 77, a bill for an act to provide for the establishment of a board of supervision of state institutions and offices, it was, on motion of Senator Gatch, taken up for consideration.

The question being on the adoption of the substitute, offered by Senator Bayless, it was withdrawn.

The question now recurring on the adoption of the amendment offered by Senator Wolfe.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Dungan, Engle, Finn, Groneweg, Kegler, Meservey, Stewart, Wolfe—9.

The nays were:

Senators Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dodge, Gatch, Gobble, Hanchett, Harsh, Kelly, Kent, Mattoon, McCoy, McVay, Mills, Parrott, Perkins, Reiniger, Rich, Schmidt, Seeds, Smith of Wright, Vale, Weidman, Woolson—29.

Absent or not voting:

Senators Bailey, Ballingall, Barrett, Cassatt, Funk, Lawrence, Mack, Mosnat, Price, Shields, Smith of Linn, Taylor—12.

So the amendment was lost.

Senator Finn offered the following substitute for section 1:

There is hereby established a State Board of Supervisors of State Institutions, consisting of three members, who shall be elected at the general election in the year 1890, who shall hold their respective offices as follows: One for two (2) years, one for four (4) years, and one for six (6) years from Jan. 1, 1891, and at each general reelection thereafter held in an even-numbered year, one member of said board shall be elected for six (6) years. Vacancies occurring in said board, occasioned by

death, resignation, or removal, shall be filled by appointment by the Governor, such appointee to hold until the next general election thereafter, when the same shall be filled in the manner provided by law for filling vacancies in State offices, by election.

Senator McCoy offered the following substitute for the substitute:

SECTION 1. There is hereby established a State board of supervisors of State institutions, consisting of four members, two of whom shall be expert book-keepers and accountants, and one of said experts shall be by the board selected as secretary of said board, to be appointed by the Governor with the approval of the Senate. The members of said board shall be styled supervisors, and shall hold office for the term of four years, except that the members first appointed shall go out of office two in two years, and two in four years. One of said accountants and one supervisor shall be selected from each of the two leading political parties of the State. The Governor shall be an *ex-officio* chairman of such board, but shall receive no additional compensation therefor, and in case of an equal division upon any question before said board, shall cast the deciding vote thereon, but no further duties connected therewith shall devolve upon him, *excepting* of an advisory character. Appointments to fill vacancies occasioned by death, resignation, or removal, shall be for the unexpired term, and shall be made in the manner above provided, except that when the General Assembly is not in session the Governor shall appoint, subject to the approval of the Senate at the next ensuing session of the General Assembly, when, in case of the refusal of the Senate to approve, the vacancy shall be filled as in the case of an appointment for the full term.

Pending which, Senator Kelly moved that the time of adjournment be extended ten minutes.

Carried.

The Senate resumed consideration of the substitute offered by Senator McCoy for the substitute offered by Senator Finn for section 1 of Senate file No. 77.

Pending which, Senator McCoy offered the following resolution:

Resolved, That the Adjutant-General is hereby requested to place in the rotunda the battle flags of Iowa regiments, where they can be, in safety to the flags; where they can be in plain view to the old soldiers visiting the Capitol during the State encampment.

Adopted.

PETITIONS AND MEMORIALS.

Senator Parrott presented petition of citizens of Grundy county, asking for legislation amending the law regulating peddlers.

Referred to Committee on Commerce.

INTRODUCTION OF BILLS.

By Senator Wolfe, Senate file No. 423, a bill for an act making appropriations for the State library.

Read first and second times and referred to the Committee on Appropriations.

The Senate adjourned.

AFTERNOON SESSION.

Senate reconvened at 2 o'clock P. M.

Lieutenant-Governor Poyneer in the chair.

Senators Ballingall and Mosnat were granted leave of absence for the afternoon.

The journal of yesterday was corrected and approved.

Senator Caldwell was granted leave of absence until Monday.

Senator Perkins offered the following:

WHEREAS, The members of this Senate desire to honor the veteran defenders of the flag in their coming encampment; therefore be it

Resolved, That the Senate adjourn at the hour of the recess on Tuesday afternoon and hold only a forenoon session on Wednesday, which shall be wholly devoted to legalizing acts and bills recommended for indefinite postponement.

Adopted.

The Senate resumed consideration of the special order, it being Senate file No. 77, a bill for an act to provide for the establishment of a board of supervision of State institutions and offices.

The question being on the adoption of the substitute offered by Senator McCoy, for the substitute offered by Senator Finn for section 1.

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bolter, Brower, Cleveland, Funk, Gatch, Gobble, Groneweg, Hanchett, Kegler, Kelly, Kent, Mattoon, McCoy, Mosnat, Parrott, Rich, Smith of Wright, Stewart, Taylor—20.

The nays were:

Senators Bailey, Barnett, Bills, Clyde, Davidson, Dungan, Engle, Finn, Harsh, Mack, McVay, Meservey, Mills, Perkins, Reiniger, Seeds, Smith of Linn, Vale, Weidman, Wolfe, Woolson—21.

Absent or not voting:

Senators Ballingall, Barrett, Caldwell, Cassatt, Dodge, Lawrence, Price, Schmidt, Shields—9.

So the substitute for the substitute was lost.

The question now being on the adoption of the substitute for section 1 offered by Senator Finn.

Senator Davidson moved to reconsider the vote by which the substitute offered by Senator McCoy for the substitute offered by Senator Finn for sec. 1 was lost.

Senator Seeds moved to lay the motion on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Bills, Clyde, Dungan, Engle, Finn, Harsh, Mack, McVay, Meservey, Mills, Price, Reiniger, Seeds, Smith of Wright, Weidman, Wolfe, Woolson—18.

The nays were:

Senators Barrett, Bayless, Bolter, Brower, Cleveland, Davidson, Funk, Gatch, Gobble, Groneweg, Hanchett, Kegler, Kelly, Kent, Mattoon, McCoy, Parrott, Perkins, Rich, Schmidt, Smith of Linn, Stewart, Taylor, Vale—24.

Absent or not voting:

Senators Ballingall, Barnett, Caldwell, Cassatt, Dodge, Lawrence, Mosnat, Shields—8.

So the motion was lost.

The question now being on the motion of Senator Davidson to reconsider.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Bolter, Brower, Cleveland, Davidson, Dungan, Funk, Gatch, Gobble, Groneweg, Hanchett, Kegler, Kelly, Kent, Lawrence, Mattoon McCoy, Parrott, Perkins, Rich, Stewart, Taylor, Vale—24.

The nays were:

Senators Bailey, Bills, Clyde, Engle, Finn, Harsh, Mack, McVay Meservey, Mills, Price, Reiniger, Seeds, Smith of Linn, Smith of Wright, Weidman, Wolfe, Woolson—18.

Absent or not voting:

Senators Ballingall, Barnett, Caldwell, Cassatt, Dodge, Mosnat, Schmidt, Shields—8.

So the motion prevailed.

The question now being on the adoption of the substitute for the substitute.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Cleveland, Davidson, Funk, Gatch, Gobble, Groneweg, Hanchett, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, Parrott, Perkins, Rich, Stewart, Taylor, Vale—24.

The nays were:

Senators Bailey, Clyde, Dungan, Engle, Finn, Harsh, Mack, McVay, Meservey, Mills, Price, Reiniger, Seeds, Smith of Linu, Smith of Wright, Weidman, Wolfe, Woolson—18.

Absent or not voting:

Senators Ballingall, Barnett, Caldwell, Cassatt, Dodge, Mosnat, Schmidt, Shields—8.

So the substitute for the substitute was adopted.

The question now being upon the adoption of the substitute as a part of the bill.

Senator McVay offered the following substitute for the substitute just adopted.

SECTION 1. There is hereby established a board of supervision of State institutions consisting of three members, one of whom shall be from each of the two leading political parties within the State and one of whom shall be an expert book-keeper and accountant and who shall be elected by the General Assembly. The members of said board shall be styled supervisors and shall hold such office for the term of six years, except that the members first appointed shall go out of office, one in two years, one in four years, and one in six years. Appointments to fill vacancies occasioned by death, resignation or removal, shall be for the unexpired term, and shall be made in the manner above provided, except that when the General Assembly is not in session the governor shall appoint a member to fill the vacancy so occasioned, who shall hold such office until the convening of the next General Assembly and until his successor is elected and qualified.

Senator Funk was granted leave of absence until Monday.

Senator Bolter moved the previous question.

Carried, and the previous question was seconded.

The main question was ordered put.

The question being on the adoption of the substitute offered by Senator McVay, for the substitute for section 1.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barrett, Clyde, Dungan, Finn, Mack, McVay, Meservey, Mills, Perkins, Reiniger, Smith of Wright, Weidman, Woolson—14.

The nays were:

Senators Barnett, Bayless, Bills, Bolter, Brower, Cleveland, Davidson, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent,

Lawrence, Mattoon, McCoy, Parrott, Rich, Schmidt, Seeds, Smith of Linn, Stewart, Taylor, Vale—26.

Absent or not voting:

Senators Ballingall, Caldwell, Cassatt, Dodge, Engle, Funk, Mosnat Price, Shields, Wolfe—10

So the substitute for the substitute was lost.

The question now being on the adoption of the substitute offered by Senator McCoy as an amendment to the bill.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Bills, Bolter, Brower, Cleveland, Davidson, Finn, Gatch, Gobble, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Smith of Linn, Stewart, Taylor, Vale, Weidman, Wolfe and Woolson—32.

The nays were:

Senators Bailey, Barnett, Clyde, Dungan, Mack, McVay, Meservey, Mills and Smith of Wright—9.

Absent or not voting:

Senators Ballingall, Caldwell, Cassatt, Dodge, Engle, Funk, Grone-
weg, Mosnat and Shields—9.

So the substitute was adopted.

The question now 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, Bayless, Bills, Bolter, Brower, Cleve-
land, Davidson, Gatch, Gobble, Hanchet, Kegler, Kelly, Kent, Law-
rence, Mattoon, McCoy, Parrott, Perkins, Price, Reiniger, Rich, Stew-
art, Taylor and Vale—25.

The nays were:

Senators Clyde, Dungan, Engle, Finn, Harsh, Groneweg, Mack,
McVay, Meservey, Mills, Schmidt, Seeds, Smith of Linn, Smith of
Wright, Weidman, Wolfe and Woolson—17.

Absent or not voting:

Senators Bailey, Ballingall, Caldwell, Cassatt, Dodge, Funk, Mos-
nat and Shields—8.

So the bill was ordered engrossed.

Senator McVay was excused for the remainder of the day.

Senator Wolfe explaindd his vote as follows:

MR. PRESIDENT—I can see no good object to be obtained by the passage of this act. The present boards of trustees of ten out of the seventeen State institutions cost the people of the State upwards of \$23,000 for the last biennial period, esti-

mating that the other seven cost at the same rate we are now paying to those trustees upwards of \$40,000, and the proposed bill, if it should become a law, will not reduce those trustees or their expense, but will only add four new officers at an expense of not less than \$15,000 for the same period, and to perform the same duties that are now required of the trustees, and, as there is no complaint or charge that those trustees are not managing the institutions honestly and well, I am not in favor of creating a new board at an expense of \$15,000 to watch another body that are now doing the same work at an expense of \$40,000 when there is no complaint that the old board have been derelict in their duties. While I would gladly vote for the measure, if it, at the present time, would reduce the trustees and in the near future dispense with them altogether but as this does neither, and in my judgment, is a useless expenditure of the money of the State, I vote no.

P. B. WOLFE, *Senator 22d District.*

Senator Seeds thus explained his vote :

MR. PRESIDENT—This bill, if it becomes a law, can accomplish but one purpose, that of raising a board of five or six more persons to draw from the State treasury annually the sum of \$12,000 or \$15,000, for which the people must tax themselves *additionally* to pay. This, in the face of the fact that there are already seventeen boards created and in operation to do the same work which this new board is now called upon to do, while no provision is made to either reduce the number of boards of trustees or to curtail the expense of said boards. And I therefore vote "No," and protest against such legislation as extravagant, uncalled for, and as simply adding to the large and burdensome number of officers already drawing salaries from a treasury which should be the people's, not the office-holders'.

ED. P. SEEDS, *Senator 33d District.*

Senator Groneweg thus explained his vote :

MR. PRESIDENT—In explanation of my vote on this question, I desire to say that I am favorable towards the establishment of a State Board of Supervisors, whose duties should be to supervise and inspect State institutions and State and county officers who handle the funds of the people. But the bill now voted upon does not go far enough in its provisions; and furthermore, section 11 practically disqualifies all citizens of the seventeen counties where State institutions are now located, and also all citizens of such counties where State institutions may be established in the future, from holding any of the offices created by this bill. I am compelled to vote no.

WM. GRONEWEG, *Senator 19th District.*

Senator Weidman explained his vote as follows:

MR. PRESIDENT—I was in favor of some measure to reduce the expense of running our State institutions, and I had hoped that this bill, Senate file No. 77, would be so shaped as to effect that object, but when the friends of this measure refuse to let the people select their supervisors by vote, I cannot support the measure. Believing as I do, that the people should select by ballot those officers who have charge of the expenditure of the money they pay for the proper maintenance of these institutions, and as this creates new offices, the additional expense, which will be about \$15,000 per annum, I must oppose this measure. I vote no.

THOS. WEIDMAN, *Senator 8th District.*

Senator Bayless filed a motion to reconsider the vote by which Senate file No. 77 was ordered engrossed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that a motion has been filed to reconsider the vote by which S. F. No. 38 passed the House.

H. S. WILCOX, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator Bayless, Senate file No. 424, a bill for an act relating to the liability of mine operators for the negligence or wrongs of their officers.

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

By Committee on Cities and Towns, Senate file No. 425, a bill for an act to amend section 829 of the Code, and to provide for the payment of city councils when acting as boards of equalization.

Read first and second times and placed on the calendar.

PETITIONS AND MEMORIALS.

Senator Bills presented petition of 675 voters of Cedar county asking a repeal of the present prohibitory law and the enactment of a license law.

Referred to Committee on Suppression of Intemperance.

Senator Lawrence presented petition of W. F. Siebold and 44 others; also, of J. Q. Armstrong and 17 others of Woodbury county, asking relief from exorbitant freight rates.

Referred to Committee on Railways.

Senator Lawrence presented petition of 400 names of republican voters of Sioux City, asking modification of prohibitory law.

Referred to Committee on Suppression of Intemperance.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. SPEAKER—I am directed to inform your honorable body that the House has concurred in the Senate amendments to House file No. 75. Also, that the House has passed the following Senate bills:

Senate file No. 277, a bill for an act authorizing in certain cities a special tax for grading of streets.

Senate file no 387, a bill for an act to defray the expenses of several committees appointed to visit the various State institutions.

Senate file No. 38, a bill for an act to provide for the listing and assessment for taxation of the capital stock of banks organized under the laws of this State.

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: Nos. 322, 326 and 327.

H. S. WILCOX, *Chief Clerk.*

Per S.

REPORTS OF STANDING COMMITTEES.

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

MR. PRESIDENT—Your Committee on Printing, to whom was referred the proceedings had in the investigation relative to pools, trusts, etc., before the Joint Committee of the Senate and House, to estimate the cost of printing the same in pamphlet form, beg leave to report that they have had the same under consideration and have instructed me to report that the estimated cost is not less than \$150, and the same may reach \$200, cost of paper, which is furnished by the State, not included.

A. B. FUNK, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Printing, to whom was referred concurrent resolution relative to the printing in pamphlet form in German, Scandinavian, Holland and Bohemian languages of Gov. Larabee's biennial address and Gov. Boies' inaugural address, beg leave to report 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 Finn, from the Committee on Schools submitted the following report:

MR. PRESIDENT—Your Committee on Schools to whom was referred Senate file No. 300, a bill for an act establishing county uniformity of school text-books, creating a board of school book commissioners defining the duties thereof, fixing the compensation of said board and providing for retrenchment and reform in the purchase and supplying of school text-books for use in the public schools 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 same be indefinitely postponed for the reason that the committee has prepared and reported a substitute for all school-text book bills.

G. L. FINN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 11, a bill for an act requiring U. S. flags to be placed in all schools within the State of Iowa, beg leave to report that they have had the same under consider-

eration and have instructed me to report the same back to the Senate with the recommendation that the title of the bill be amended by striking out everything after the word Iowa. Section 1, line 2, strike out the words "shall have placed" and insert instead the words "may place." Strike out all of section 2. Strike out all after the word "within" in second line of section 3. And when so amended it do pass.

G. L. FINN, *Chairman*.

Ordered passed on file.

Senator Smith of Linn, from the Committee on Cities and Towns, submitted the following report:

MR. PRESIDENT—Your Committee on Cities and Towns have instructed me to report a bill for an act to amend section 829, of the Code, and to provide for the payment of city councils when acting as boards of equalization, beg leave to report that they have had the same under consideration and have instructed me to report the same to the Senate with the recommendation that it do pass.

J. H. SMITH, *Chairman*.

Ordered passed on file.

On motion of Senator Brower, House file No. 386, a bill for an act to legalize the incorporation of the Cerro Gordo County Agricultural Society and the acts and proceedings thereof, and provide for and authorize the recording of a copy of the articles of incorporation of said society in the office of the county recorder of Cerro Gordo county, and the filing of said copy in the office of the secretary of State, with report of committee recommending amendments and that it do pass, was taken up, considered, and the amendments recommended by the committee were adopted.

Senator Brower 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 Bailey, Barrett, Bayless, Bills, Bolter, Brower, Cleveland, Clyde, Davidson, Dungan, Engle, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Lawrence, Mack, Mattoon, McCoy, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Smith of Linn, Smith of Wright, Taylor, Vale, Weidman, Wolfe Woolson—38.

The nays were—none.

Absent or not voting:

Senators Ballingall, Barnett, Caldwell, Cassatt, Dodge, Finn, Funk, Kent, McVay, Mosnat, Shields, Stewart—12.

So the bill passed and title was agreed to.

Senator Barnett was excused until Monday noon, April 7.

On motion of Senator Wolfe, Senate file No. 411, a bill for an act to legalize the incorporation of the town of Grand Mound, Clinton

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 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 Bailey, Barrett, Bayless, Bills, Brower, Cleveland, Clyde, Davidson, Dodge, Finn, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Lawrence, Mack, Mattoon, McCoy, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Smith of Linn, Taylor, Vale, Weidman, Wolfe and Woolson—36.

The nays were—none.

Absent or not voting:

Senators Ballingall, Barnett, Bolter, Caldwell, Cassatt, Dungan, Engle, Funk, Kent, McVay, Mosnat, Shields, Smith of Wright and Stewart—14.

So the bill passed and the title was agreed to.

On motion of Senator Kelly, Senate file No. 344, a bill for an act to accept and legalize the grant to the State of Iowa, made by the city of Iowa City, of certain rights and privileges in a public park and street in said city, as indicated by an ordinance of said city, passed March 7, 1890, with report of committee recommending that it do pass, was taken up, and considered.

Senator Kelly 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 Bailey, Barrett, Bayless, Bolter, Brower, Cleveland, Clyde, Dodge, Dungan, Engle, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Lawrence, Mack, Mattoon, McCoy, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Smith of Linn, Taylor, Vale, Weidman, Wolfe, Woolson—35.

The nays were—none.

Absent or not voting:

Senators Ballingall, Barnett, Bills, Caldwell, Cassatt, Davidson, Finn, Funk, Kent, McVay, Mosnat, Seeds, Shields, Smith of Wright, Stewart—15.

So the bill passed and the title was agreed to.

On motion of Senator Weidman, Senate file No. 163, a bill for an act to repeal section 9, of chapter 41, acts of the Nineteenth General Assembly, and to enact a substitute therefor, with report of committee recommending a substitute and that it do pass, was taken up, considered, and the substitute recommended by the committee was adopted.

The substitute was read first and second times.

Pending which, Senator Price moved that the time for adjournment be extended 15 minutes.

Carried.

Senator Wolfe moved to amend the bill as follows:

And the section be further amended by adding, after the word "teachers," in the twelfth line, the words "and other employees."

Adopted.

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 Bailey, Barrett, Bayless, Bills, Bolter, Brower, Cleveland, Clyde, Davidson, Engle, Finn, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Lawrence, Mack, Mattoon, McCoy, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Smith of Linn, Smith of Wright, Taylor, Vale, Weidman, Wolfe, Woolson—38

The nays were—none.

Absent or not voting:

Senator Ballingall, Barnett, Caldwell, Cassatt, Dodge, Dungan, Funk, Kent, McVay, Mosnat, Shields, Stewart—12.

So the bill passed and the title was agreed to.

Senator Davidson moved that Senate file No. 303, a bill for an act providing for the collection and preservation of historic records and other valuable materials pertaining to the history of Iowa, and making appropriations therefor, be recalled from the Governor to correct an error in the enrollment.

Carried.

Senator Davidson, 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:

Senate file 327, an act to legalize the proceedings of the board of supervisors of Johnson county, Iowa, in locating and causing to be constructed a ditch in Fremont township in said county, known as the Walker ditch, and to provide for an assessment and levy of the costs and expenses thereof, on the lands benefited thereby.

Also, Senate file 322, an act to amend section one (1), chapter thirty-two (32), laws of the Eighteenth General Assembly of the State of Iowa, relating to extension of street railways over highways in certain cases. Also, Senate file 326, an act to legalize the proceedings of the board of supervisors of Johnson county, Iowa, in locating and causing to be constructed a ditch in Fremont township in said county, known as the Alcock ditch, to provide for an assessment an levy of the costs and expenses thereof, on the lands benefited thereby.

D. B. DAVIDSON, *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. 417, a bill for an act appropriating \$440,70 to defray the expenses of certain members of the Twenty-second General Assembly, appointed by the Governor to attend the "beef and pork combine" convention at Saint Louis, beg leave to report 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.

On motion of Senator Finn, House file No. 417, a bill for an act appropriating \$440.70 to defray the expenses of certain members of the Twenty-second General Assembly appointed by the Governor to attend the "beef and pork combine" convention at St. Louis, 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 be considered engrossed and 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 Bailey, Bayless, Bills, Bolter, Brower, Cleveland, Clyde, Davidson, Engle, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Lawrence, Mack, Mattoon, McCoy, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Smith of Linn, Smith of Wright Taylor, Vale, Weidman, Wolfe, Woolson—35.

The nays were:—none.

Absent or not voting:

Senators Ballingall, Barnett, Barrett, Caldwell, Cassatt, Dodge, Dungan, Finn, Funk, Hanchett, Kent, McVay, Mosnat, Shields, Stewart—15.

So the bill passed and the title was agreed to.

PETITIONS AND MEMORIALS.

Senator Harsh presented petition of Hanson, Weld & Co., of Lamoni, Decatur county, asking change in exemption laws.

Referred to Committee on Judiciary.

Senator Harsh presented petition of Lincoln Farmers' Alliance, Ringgold county, asking uniformity of text-books.

Referred to Committee on Schools.

REPORTS OF STANDING COMMITTEES.

Senator Perkins, from the Committee on Claims, submitted the following reports:

MR. PRESIDENT—Your Committee on Claims, to whom was referred House file No. 152, a bill for an act to repeal chapter 139 of the acts of the 22d 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.

GEO. W. PERKINS, *Chairman*.

Ordered passed on file.

Also.

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 290, a bill for an act making an appropriation to reimburse P. A. Van Tassel, of Indianola, Iowa, as agent for the State of Iowa for expenses incurred in a *bona fide* effort to arrest and return one W. D. Searles, a fugitive from justice, beg leave to report 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.

GEO. W. PERKINS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate file No. 317, a bill for an act to appropriate two thousand seven hundred and ninety-four dollars and fifty cents (for payment of Mr. Stone's claim for grading the Capitol grounds, beg leave to report 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.

GEO. W. PERKINS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred the petition of LeGrand Byington, claiming of the State of Iowa \$575, beg leave to report 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.

GEO. W. PERKINS, *Chairman*.

Ordered passed on file.

The Senate adjourned.

SENATE CHAMBER.
DES MOINES, IOWA, Monday, April 7, 1890. }

The Senate met in regular session at 10 o'clock A. M.

Lieut.-Gov. Poyneer in the chair.

Prayer by Rev. H. O. Breeden, pastor Central Church of Christ.

PETITIONS AND MEMORIALS.

Senator Rich presented petition of A. Leiberknecht and 42 other citizens of Greene county against the repeal of the prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Rich presented petition of G. W. Sheffield and 65 other citizens of Carroll county asking for State uniformity of school books.

Referred to Committee on Schools.

Senator Cleveland presented resolution of Harlan Post, No. 197, G. A. R., Harlan, Iowa, in reference to soldiers' monument.

Referred to Committee on Appropriations.

Senator Woolson presented the petition of J. C. Power, H. Scott Howell, L. A. Riley, Helen D. Clapp, J. F. McGill and 1,038 other citizens of Lee, Des Moines, Louisa and Jefferson counties, for more stringent laws against desecration of the Sabbath; also draft of bill on same subject.

Referred to Committee on Suppression of Intemperance.

Senator Perkins presented petition of F. P. Spencer and 28 other business men of Randolph, asking a change in exemption laws.

Referred to Committee on Judiciary.

Senator Harsh presented petition of Frank Ellis and other members of Dodge Center Farmers' Alliance No. 1207, Union county, asking the enactment into law of Senator Dungan's wolf scalp bill.

Referred to Committee on Agriculture.

Senator Mills presented petition of Arthur Neil and 8 others, asking for district option in the purchase of school text-books.

Referred to Committee on Schools.

Senator Engle presented petition of S. R. Russell, J. W. Russell and 17 other citizens of Jasper county, against double taxation.

Referred to the Committee on Labor.

Senator Engle presented petition of Henry Taeter, C. Eggart and 75 other citizens, against medical monopoly.

Referred to Committee on Public Health.

Senator Barrett presented petition of 20 members of Farmers' Alliance, No. 1111, Osceola county, asking the passage of a law empowering school directors to purchase books and making free school books optional.

Referred to Committee on Schools.

Senator Barrett presented petition of 25 members of the Wilson Township Alliance, Osceola county, asking for joint rates and other regulations.

Referred to Committee on Railways.

Senator Barrett presented resolution of citizens of Rock Rapids, Lyon county, against repeal of prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Bailey presented petition of A. W. Kramer & Son and other business men of Castalia, asking amendment of law relating to peddlers.

Referred to Committee on Commerce.

Senator Smith of Wright presented petition of J. J. Newman, Wm. W. Ray and 15 others of Hubbard, Hardin county, asking for the maintenance of the prohibitory law.

Referred to Committee on Public Health.

Senator Caldwell presented memorial of Maxwell Post No. 14, G. A. R. of Stuart, Iowa, Mays Post No. 264, Bagley, Guthrie county, endorsing the recommendation of the commission appointed to devise and report plans for a memorial of deceased Iowa soldiers and sailors.

Referred to Committee on Military.

Senator Taylor presented memorial of W. A. Clark Post No. 434, Moulton, Appanoose county, Iowa, Henry Jaquiss Post No. 325, Cincinnati; John G. Walden Post 467, Mystic, Appanoose county, endorsing the recommendation of the commission appointed to devise and report plans for memorial of deceased Iowa soldiers and sailors.

Referred to Committee on Military.

Senator Bailey offered the following resolution:

Resolved, By the Senate that a session be held Thursday evening, April 10th, at which the report of the special committee on the world's fair shall be considered first, followed by bills on the calendar in regular order, not made special order.

Adopted.

Senator Bayless offered the following resolution:

Resolved, That the doorkeepers be instructed to admit all Veteran Soldiers, Sailors and Marines, and members of the Woman's Relief Corps and Sons of Veterans wearing their badges to the floor of the Senate, during the time of the State encampment, and to include the 10th instant.

Adopted.

Senator Finn moved that the Senate take up Senate file No. 6, a bill for an act to amend chapter 9 of the Code of 1873, and make the same applicable to private bankers, and that it be made a special order to follow consideration of Senate file No. 2.

Carried.

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 joint resolution No. 8, memorializing Congress to enact a law to protect the lives and persons of miners in the territories, beg leave to report 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.

WARREN S. DUNGAN, *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. 20, a bill for an act to require the attendance of children between the ages of seven and fifteen years at some public or private school for not less than twelve weeks in each year, in which reading, writing, arithmetic and American history are taught in the English language, beg leave to report that they have had the same under consideration and report the same without recommendation.

G. L. FINN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 75, a bill for an act to establish a board of commissioners to regulate the price of text-books, and to furnish text-books free to indigent children, and to prohibit school officers from acting as agents for or receiving compensation from any corporation, firm or person selling text-books, or school supplies, beg leave to report 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, for the reason that they have prepared and reported a substitute for all school text-book bills.

G. L. FINN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 100, 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 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 have prepared and reported a substitute for all school text-book bills.

G. L. FINN, *Chairman*.

Ordered passed on file.

Senator Gatch, from the Committee on Appropriations, submitted the following reports:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 103, a bill for an act making appropriations for the penitentiary at Ft. Madison, beg leave to report that they have had the same under consideration and have prepared a 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.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 280, a bill for an act to appropriate funds to carry on the work at the penitentiary at Anamosa and for other purposes connected therewith, beg leave to report that they have had the same under consideration, have prepared a 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.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 231, 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 prepared a 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.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 157, 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, beg leave to report that they have had the same under consideration, have prepared a 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.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 162, a bill for an act making an appropriation for the institution for the feeble-minded children at Glenwood, Iowa, beg leave to report that they have had the same under consideration, have prepared a 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.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations to whom was referred Senate file No. 230, a bill for an act making appropriations for the hospital for the insane at Clarinda, Iowa, beg leave to report that they have had the same under consideration, have prepared a 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.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 328, a bill for an act making appropriation for the Iowa Industrial School, girls' department, at Mitchellville, Iowa, beg leave to report that they have had the same under consideration, have prepared a 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.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 271, a bill for an act making appropriations for the institution for the deaf and dumb at Council Bluffs, Iowa, beg leave to report that they have had the same under consideration, have prepared a 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.

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 relating to the endowment and support of the State Normal School at Cedar Falls and making appropriations therefor, beg leave to report that they have had the same under consideration, have prepared a 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.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 224, 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 and the erection of additional buildings, beg leave to report that they have had the same under consideration, have prepared a substitute, 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.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 126, 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 prepared a 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.

C. H. GATCH, *Chairman*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 319, a bill for an act making appropriations for the Hospital for the Insane at Mt. Pleasant, Iowa, beg leave to report that they have had the same under consideration, have prepared a 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.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 30, a bill for an act to make an appropriation for the Hospital for the Insane at Independence, beg leave to report that they have had the same under consideration, have prepared a substitute, 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.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 197, a bill for an act making an appropriation for the Benedict Home, at Des Moines Iowa, beg leave to report that they have had the same under consideration, have prepared a 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.

G. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 383, a bill for an act making appropriations for the Iowa Industrial School, boys' department, at Eldora, Iowa, beg leave to report that they have had the same under consideration, have prepared a 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.

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 an appropriation for the purpose of improving the grounds of the new capitol, beg leave to report that they have had the same under consideration, have prepared a 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.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 118, a bill for an act making appropriations for the College for the Blind at Vinton, Iowa, beg leave to report that they have had the same under consideration, have prepared a 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.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 307, a bill for an act to appropriate a certain sum of money to pay the expenses of the joint committee appointed to investigate certain charges against 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 it 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. 219, a bill for an act to appropriate funds to secure the extension of the water works of the Davenport Water Company to the Soldiers' Orphans' Home and Home for Indigent Children, at Davenport, Iowa, 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 be indefinitely postponed.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred substitute for Senate file No. 239, a bill for an act to authorize the Executive Council to employ the services of a military band to be known as the Iowa State Military Band, and to make an appropriation therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Senator Dungan moved that the Senate attend the reception this evening in a body and that they meet at 6:50 this evening for that purpose.

Carried.

Senator Dungan moved that the Senate take up for consideration House, joint resolution No. 8, memorializing Congress to enact a law to protect the lives and persons of miners in the territories.

Carried.

Senator Dungan 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 Bailey, Ballingall, Barrett, Bayless, Bills, Bolter, Caldwell, Cleveland, Clyde, Dodge, Dungan, Engle, Finn, Gobble Groneweg, Hanchett, Kegler, Kelly, Kent, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe—40.

The nays were—none.

Absent or not voting:

Senators Barnett, Brower, Cassatt, Davidson, Funk, Gatch, Harsh, Lawrence, Shields and Woolson—10.

So the joint resolution passed and the title was agreed to.

The Senate took up the consideration joint resolution and memorial No. 10 of the General Assembly of Iowa to the Congress of the United States in reference to the debt of the Union Pacific Railroad Company, with report of committee recommending that it do pass.

Senator Finn moved to amend by adding the word "adequate" after the word "no" immediately following the fifth whereas.

Carried.

Senator Finn moved that the rule be suspended, and the joint resolution be considered engrossed and read a third time now, which motion prevailed and the joint resolution was read a third time.

On the question, shall the joint resolution pass?

The yeas were:

Senators Bailey, Ballingall, Barrett, Bayless, Bills, Bolter, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Kent, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reininger, Rich, Schmidt, Seeds, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman—41.

The nays were—none.

Absent or not voting:

Senators Barnett, Brower, Cassatt, Funk, Hanchett, Lawrence, Shields, Wolfe, Woolson—9.

So the joint resolution passed and the title was agreed to.

Senator Dungan moved that the special order be postponed, and the Senate take up for consideration Senate file No. 268, a bill for an act to amend section 10, chapter 21, acts of the 20th General Assembly, and section 3, chapter 56, acts of the 22d General Assembly, relating to mines and mining.

Lost.

The hour having arrived for consideration of the special order, it being Senate file No. 74, a bill for an act to repeal chapter fifty-nine (59) of the Seventeenth (17) General Assembly, in relation to the taxation of telegraph and telephone lines, and to enact the following in lieu thereof, with report of a majority of the Committee recommending that it do pass, it was taken up and considered. Senator Parrott moved to strike out the figures, "59" and "17" in the second line of act 1 of the original bill.

Carried.

Senator Parrott moved to strike out the figures "15" in the seventh line of section 3 of the original bill.

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 Bills, Bolter, Cleveland, Engle, Gobble, Groneweg, Harsh, Kegler, Kelly, Mills, Mosnat, Schmidt, Taylor, Wolfe—14.

The nays were:

Senators Bailey, Barrett, Brower, Caldwell, Clyde, Davidson, Dungan, Finn, Gatch, Hanchett, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Parrott, Perkins, Price, Reiniger, Rich, Seeds, Smith of Linn, Smith of Wright, Stewart, Vale, Weidman, Woolson—28.

Absent or not voting:

Senators Ballingall, Barnett, Bayless, Cassatt, Dodge, Funk, Shields
—7.

So the bill was lost.

Senator Woolson thus explained his vote:

I am strongly impressed with the reasons given by Governor Larrabee for his action in vetoing this bill, which was submitted to him for approval in 1888, and I do not believe the district I have the honor to represent will be advantaged by the enactment of the proposed bill into law, nor that any considerable number of my constituents desire its enactment. I vote "no."

JNO. S. WOOLSON, *Senator Tenth District.*

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. 133, a bill for an act to maintain a fire department in certain cities of the second class.

Senate file No. 188, a bill for an act concerning the printing of the biennial report of the Commissioners of the Bureau of Labor Statistics.

Senate file No. 175, a bill for an act to amend chapter thirty (30) of the laws of the Twenty-second General Assembly, approved April 6, 1888, and to remit certain penalties incurred thereunder.

Senate file No. 393, a bill for an act legalizing the electric light plant in the town of Bloomfield, Iowa, and the ordinances authorizing its establishment, and contracting for electric lights for the streets of said town.

Senate file No. 212, a bill for an act to enable the board of supervisors of Marshall county, Iowa, to refund money collected as a fine in a liquor prosecution, and paid into the temporary school fund of said county.

Senate file No. 404, a bill for an act to relieve Anderson M. Bengé and others, to whom loans of the school funds were made, in Madison county, Iowa.

Senate file No. 186, a bill for an act for the relief of F. Harbach.

Senate file No. 394, a bill for an act legalizing the electric light plant in the town of Montezuma, Iowa, and the ordinances authorizing its establishment.

Senate file No. 210, a bill for an act to legalize the acts of the council of the incorporated town of Arcadia, in Carroll county, Iowa.

Senate file No. 153, a bill for an act to legalize certain ordinances of the incorporated town of Mitchellville, in the county of Polk and State of Iowa.

Senate file No. 211, a bill for an act to legalize the levy of certain taxes for certain years in Carroll county, Iowa.

Senate file No. 113, a bill for an act to amend chapter 16, laws of the Twenty-second General Assembly entitled "an act granting additional powers to certain cities of the first class and to cities organized under special charters and cities of the second class having over seven thousand inhabitants."

Also, that the motion filed to reconsider the vote by which S. F. No. 38 passed the House has been withdrawn.

H. S. WILCOX, *Chief Clerk.*

Per Shelton, 1st Asst.

The Senate now took up for consideration the next special order, it being Senate file No. 60, a bill for an act to repeal chapter 69, laws of the Sixteenth General Assembly, and to enact a substitute therefor, relating to vagrants, with report of Committee recommending a substitute and that it do pass.

The substitute recommended by the committee was taken up for consideration.

Senator Bayless moved to amend as follows:

SECTION 6. The board of supervisors shall at their regular meeting in June of each year fix the compensation to be allowed to the officers under this act. To the trial magistrate not exceeding two dollars and to the peace officer for all service, except making arrest, not more than one dollar and mileage as now allowed by law, and for making arrest the same as now allowed for similar service in other cases.

Adopted.

Senator Bolter moved to amend section 4, as follows: Strike out all after the word "State," in the second line down to and including the word "land" in the fourth line.

Adopted.

Senator Kelley moved to amend as follows: Strike out the word newspaper in the second line of section six of the printed bill.

Pending which, the Senate adjourned.

AFTERNOON SESSION.

The Senate convened at 2 o'clock P. M.

The hour having arrived for consideration of the special order, it being Senate file No. 336, a bill for an act to regulate the sale and manufacture of intoxicating liquors in municipal corporations, with report of a majority of committee recommending that it do pass, it was taken up, and on motion of Senator Finn was postponed until 3 o'clock.

The Senate resumed consideration of the special order, it being Senate file No. 60, a bill for an act to repeal chapter 69, laws of the Sixteenth General Assembly, and to enact a substitute therefor, relating to vagrants.

The question being on the adoption of the amendment offered by Senator Kelly to section 6.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Bolter, Clyde, Davidson, Gobble, Groneweg, Harsh, Kelly, Mack, Mattoon, McCoy, Mills, Parrott, Rich, Schmidt, Stewart, Taylor—17.

The nays were:

Senators Barrett, Bayless, Bills, Brower, Caldwell, Cleveland, Dodge, Dungan, Finn, Funk, Gatch, Lawrence, McVay, Meservey, Mosnat, Perkins, Price, Reiniger, Seeds, Smith of Linn, Smith of Wright, Vale, Weidman, Wolfe, Woolson—25.

Absent or not voting:

Senators Ballingall, Barnett, Cassatt, Engle, Hanchett, Kent, Shields, Kegler—8.

So the amendment was lost.

Senator Brower moved to amend section two as follows:

Insert in the fourth line between the words "himself" and "shall" the following: "and unable to show reasonable efforts and in good faith to secure employment."

Senator Davidson offered the following substitute:

Strike out after the word "begging" in the third line of section 2, the words "or is wandering about having no visible calling or business to maintain himself."

Lost.

The amendment by Senator Brower was then adopted.

Senator Davidson moved to strike out section 3.

Lost.

Senator Gobble moved to amend section 7 as follows: By inserting after the word "tobacco" in the second line, the word "sporting" or "illustrated."

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barnett, Bolter, Cassatt, Cleveland, Clyde, Davidson, Dodge, Engle, Gobble, Groneweg, Harsh, Kegler, Kelly, Mack, Mattoon, McCoy, McVay, Mills, Mosnat, Parrott, Perkins, Price, Rich, Stewart, Taylor, Vale, Weidman—28.

The nays were:

Senators Barrett, Bayless, Bills, Dungan, Funk, Gatch, Hanchett, Meservey, Wolfe, Woolson—10.

Absent or not voting:

Senators Ballingall, Brower, Caldwell, Finn, Kent, Lawrence, Reiniger, Schmidt, Seeds, Shields, Smith of Linn and Smith of Wright—12.

So the amendment was adopted.

Senator Schmidt of Linn moved to amend as follows: Add in sec-

tion 6, in line 2, after the word "tobacco," the words, intoxicating liquors.

Carried.

Senator Harsh moved to amend by inserting after the word "begging" in 3d line of sec. 2, the words, "other than food for immediate use."

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Cassatt, Engle, Mills, Harsh—5.

The nays were:

Senators Ballingall, Barrett, Bayless, Bills, Clyde, Caldwell, Cleveland, Dungan, Finn, Funk, Gobble, Groneweg, Hanchett, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McVay, Meservey, Mosnat, Parrott, Perkins, Reiniger, Rich, Seeds, Smith of Linn, Smith of Wright, Stewart, Vale, Weidman, Wolfe, Woolson—34.

Absent or not voting:

Senators Bailey, Bolter, Brower, Dodge, Davidson, Gatch, McCoy, Price, Schmidt, Shields, Taylor—11.

So the amendment was lost.

The hour having arrived for consideration of the next special order, it being House file No. 166, a bill for an act to repeal chapter 45 of the laws of the Seventeenth General Assembly, and to enact a substitute therefor, to establish a weather and crop service, and for the collection and dissemination of crop statistics and meteorological data, it was taken up and on motion of Senator Meservey, made a special order to follow the disposition of Senate file No. 6.

The Senate resumed consideration of the special order, it being Senate file No. 60, a bill for an act to repeal chapter 69, laws of the Sixteenth General Assembly, and to enact a substitute therefor, relating to vagrants.

Senator Clyde moved to insert the word "knowingly" after the word "manner" in the fifth line of section 7.

Carried.

The substitute recommended by the committee was read first and second times and 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 Bailey, Ballingall, Barrett, Bayless, Bills, Caldwell, Cleveland, Clyde, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Kegler, Kelly, Lawrence, Mack, Mattoon, Meservey, Mosnat,

Parrott, Perkins, Reiniger, Rich, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson--34.

The nays were:

Senators Bolter, Davidson, Engle, Harsh, McCoy, McVay, Mills and Price--8.

Absent or not voting:

Senators Barnett, Brower, Cassatt, Dodge, Kent, Schmidt, Seeds, Shields--8.

So the bill passed and the title was agreed to.

Senator Harsh thus explained his vote:

I am unwilling to consent that the asking at any door in Iowa for food by a stranger shall subject him to such severe penalty as hard labor in the county jail for ten days, or by imprisonment in such jail in solitary confinement for five days. I vote no.

J. B. HARSH, *Senator 5th District.*

Senator Finn moved that the consideration of Senate file No. 2, 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 postponed and made a special order for 10 o'clock A. M., to-morrow.

Senator Gatch moved to amend by making Senate file No. 2 follow immediately after the disposition of Senate file No. 154, a bill for an act authorizing cities having a population of 5,000 inhabitants or more, to permit the sale of intoxicating liquors as a beverage, and to permit its manufacture and sale in such cities.

Lost.

The original motion was then adopted.

The following communication was presented and read to the Senate :

STATE OF IOWA, }

ADJUTANT GENERAL'S OFFICE, DES MOINES, April 7, 1890. }

W. R. COCHRANE, *Secretary of the Senate, Twenty-third General Assembly:*

DEAR SIR--I have the honor to acknowledge the receipt of yours of the 5th, inst. enclosing copy of resolution by the Senate of the 23d General Assembly.

It would afford me great pleasure to comply with the request in order to the fulfillment of the purpose for which the resolution was offered but owing to the tattered condition of the flags it would be impossible to remove all of them and the only place properly advisable for their display is now completely taken up with decorations suitable to the occasion and in compliance with a joint resolution of the 23d General Assembly.

Those in charge of the decorations agree with me, that the flags cannot now be so placed at the capitol, as to do them or their veteran defenders the honor and distinction they are so justly entitled to.

I have the honor to be your obedient servant,

BYRAN A. BEESON, *Adjutant-General.*

Senator McCoy, 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. 149, a bill for an act to amend section 1544 of the Code, relating to search warrants and seizures 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 be amended as follows: Strike out of the tenth line of the printed bill the word "township," and insert the word "county." Insert after the word "liquor" in line 11 of the printed bill the words "either by his real or reputed name," if the same is known; but if such name is not known, then it shall be sufficient to name or describe, as particularly as the justice may find practicable, the person who is claimed to be in possession of or controlling said liquor, and in all cases, where the justice shall find the same practicable said warrant shall describe said owner, keeper or other person with sufficient accuracy for certain identification; and the place to be searched, by number of lot and block, or street and street number, or in case such description is by the justice found not practicable, then, such justice shall in said warrant describe said place to be searched in such other manner as he shall find most practicable.

To the end that in all cases where the same is practicable said warrant shall so specifically describe said premises as that the same may be identified from such description alone."

Insert in line 29 after the word "that" the words "in case," strike out the second "that" in second line, insert at the beginning of line 30 the word "substantially."

Strike out of line 30 the word "shall." Strike out of lines 31, 32 and 33 the words "be quashed and all property seized shall be returned to the owner or owners thereof, or other person or persons from whose custody the same shall have been taken, and" insert in line 33, after the word "collectible" the words "in any manner connected with said warrant or proceedings thereunder."

Strike out of the same line the word "any" and insert the word "the," strike out of the same line the words "shall have," strike out of the same line the words "or execute," strike out of line 35 the word "chapter" and insert the word "section," strike out of line 36 the words "in substantial conformity with the foregoing requirements, and when so amended that it do pass.

BEN. MCCOY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate file No. 304, a bill for an act, authorizing and directing persons subject to dipsomania or habitual drunkenness to be treated in the Insane Asylum, in the State of Iowa, as insane patients, 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 as follows:

Amend section 1 by striking out of line 2, in the printed bill, the words "lunatic asylums" and insert the words, "hospitals for the insane."

Strike out all after the word "treatment" in lines 2 and 3, of section 1, of the printed bill.

In line 1, of section 2, insert after the figure "2" the word and figures, "title 11."

In line 2, section 2, insert after the word "hospital," the words, "for the insane."

In section 3, line 1, strike out the words "lunatic asylum" and insert the words "hospital for the insane."

In line 1, section 4, strike out the words "lunatic asylum" and insert the words "hospital for the insane," and when so amended that it do pass.

BEN MCCOY, *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. 87, a bill for an act to repeal sections 295 of the Code of 1873, relating to county boards of supervisors, 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 indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 374, a bill for an act to amend section 1695 and 1696, chapter 7, title 12 of the Code, relating to the Iowa 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 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 amending section 4299, chapter 2, title 18, of the Code, and the petitions relating thereto referred to this committee on recommendation of Committee on Labor, 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 said petitions, with the recommendation that it 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. 421, a bill for an act relating to notices to take depositions, beg leave to report 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. 169, a bill for an act to legalize the levy of certain taxes for certain 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 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. 464, a bill for an act legalizing the electric light plant in the town of Bloomfield, Iowa, and the ordinances authorizing its establishment and contracting for electric lights for the streets of said town, 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, for the reason that a bill, (Senate file) —, exactly similar to the above, has already passed the Senate and has been messaged to the other branch of the General Assembly.

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 apply the provisions of chapter 58, laws of the 17th General Assembly, and amendments thereto, to existing bonded indebtedness of counties, cities and towns, beg leave to report 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. 422, a bill for an act to legalize certain ordinances of the incorporated town of Polk City, Polk 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. 268, a bill for an act to legalize the incorporation of Gilmore City in Humboldt and Pocahontas counties, Iowa, and a subsequent annexation thereto, and the ordinances and official acts of the town council 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 Senate file No. 412, a bill for an act to legalize the proceedings of the board of supervisors of Calhoun county in locating and constructing ditches in said county, and in assessing the costs thereof on the lands benefited thereby, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended by inserting after the word "face" the words "as the same was determined by said board of supervisors," 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. 390, a bill for an act to regulate bequests and gifts to civil and political corporations for school and benevolent 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.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Senator Smith of Wright, from the Committee on Commerce, submitted the following report:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred House file No. 383, a bill for an act to punish fraud, misrepresentation and deception in the sale of fruit, shade or ornamental trees, vines, shrubs, plants, bulbs, and roots, and as to damage 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.

W. C. SMITH, *Chairman*.

Ordered passed on file.

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA, }
EXECUTIVE OFFICE, DES MOINES, April 5, 1890. }

The following message was received from the Governor:

MR. PRESIDENT—I am instructed by the Governor to inform you that he has approved, signed and deposited in the office of the Secretary of State, the following bills:

Senate file No. 303, an act providing for the collection and preservation of historic records and other valuable material pertaining to the history of Iowa, and making an appropriation therefor.

Senate file No. 7, an act to amend section 589 of the Code in reference to the election of county auditor, and

Senate file No. 5, an act to amend section 2094 of the Code of 1873, establishing "Labor Day" as a legal holiday.

Senate file No. 322, an act to amend section 1, chapter 32, laws of the Eighteenth General Assembly of the State of Iowa, relating to the extension of street railways over highways in certain cases.

Senate file No. 326, an act to legalize the proceedings of the board of supervisors of Johnson county, Iowa, in locating and causing to be constructed a ditch in Fremont township in said county, known as the Alcock ditch, and to provide for an assessment and levy of the costs and expense thereof on the lands benefited thereby.

Senate file No. 327, an act legalizing the proceedings of the board of supervisors of Johnson county, Iowa, in locating and causing to be constructed a ditch in Fremont township in said county, known as the Walker ditch, and to provide for an assessment and levy of the costs and expense thereof on the lands benefited thereby.

Very respectfully,

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 Senate bills:

S. F. No 411, a bill for an act to legalize the incorporation of the town of Grand Mound, Clinton county, Iowa.

Also, that the House has concurred in Senate amendments to H. F. No. 386.

H. S. WILCOX, *Chief Clerk*,
per SHELTON.

On motion of Senator Gobble, Senate file No. 336, a bill for an act to regulate the sale and manufacture of intoxicating liquors in municipal corporations, with report of a majority of committee recommending that it do pass, was taken up and considered.

Pending which, Senator McCoy moved that the time of adjournment be extended one-half hour.

Carried.

Senator Dungan moved that when the Senate do adjourn it be until 6:40 P. M.

Carried.

The Senate resumed consideration of Senate file No. 336, a bill for an act to regulate the sale and manufacture of intoxicating liquors in municipal corporations.

Pending which, Senator Dungan moved to reconsider the vote by which the Senate ordered an evening session at 6:40 P. M. •

Senator Woolson moved to lay the motion on the table.

Carried.

Senator Dungan moved that the Senate have an evening session at 7:30 P. M., for the consideration of bills on the calendar in numerical order.

Senator Finn moved to amend by making the time for the session at 9 o'clock A. M. to-morrow.

Carried.

The motion as amended was then adopted.

Senator Schmidt moved that Senate file No. 336, a bill for an act to regulate the sale and manufacture of intoxicating liquors in municipal corporations, and Senate file No. 154, a bill for an act authorizing cities having a population of 5,000 inhabitants or more to permit the sale of intoxicating liquors as a beverage, and to permit its manufacture and sale in such cities, be continued as special order for 9 o'clock A. M. to-morrow.

Carried.

The Journal of Saturday was corrected and approved.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, April 8, 1890. }

The Senate met in regular session at 10 o'clock A. M. Lieut. Gov. Poyneer in the chair.

Prayer by Rev. O. L. Corbin, M. P. church, Des Moines.

Senator McVay was granted leave of absence indefinitely, on account of sickness in his family.

Senator Bolter moved that the special order, it being Senate file No. 336, a bill for an act to regulate the sale and manufacture of intoxicating liquors in municipal corporations, be postponed for 10 minutes to allow the regular order of business to be transacted. Carried.

PETITIONS AND MEMORIALS.

Senator Engle presented petition of the citizens of Jasper county asking increase of bounty for wolf scalps.

Referred to Committee on Agriculture.

Senator Funk presented petition of sixty-four (64) teachers of Dickinson county, asking the enactment of Senate file No. 33, relating to school holidays.

Also:

Petition of 10 citizens of Clay county, asking school book legislation.

Referred to Committee on Schools.

Senator Bailey presented petition of B. Hassett and 17 other citizens of Howard county, asking no change in prohibitory laws.

Also:

Petition of Mrs. Jones and 9 other citizens of Howard county, non-voters, asking no change in prohibitory law.

Referred to Committee on Suppression of Intemperance.

Senator Brower presented petition of citizens of Franklin county, asking laws to regulate peddlers.

Referred to Committee on Commerce.

REPORTS OF STANDING COMMITTEES.

Senator Bayless, from the Committee on Military, submitted the following reports:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 128, a bill for an act to amend section 1, chapter 121, laws 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 it do pass.

F. D. BAYLESS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate file No. 127, a bill for an act to amend section 16, chapter 53, laws of the 21st 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 they have prepared a substitute and ask its adoption, and that it do pass.

F. D. BAYLESS, *Chairman*.

Ordered passed on file.

Senator Engle, from the Committee on Horticulture and Forestry, submitted the following report:

MR. PRESIDENT—Your Committee on Horticulture and Forestry, to whom was referred Senate file No. 410, a bill for an act to amend chapter 25 of the laws of the Fourteenth General Assembly, entitled an act for the encouragement of horticulture and forestry, beg leave to report 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.

PERRY [ENGLE, *Chairman*.

Ordered passed on file.

The Senate resumed consideration of the special order, it being Senate file No. 336, a bill for an act to regulate the sale and manufacture of intoxicating liquors in municipal corporations, pending which, the hour having arrived for consideration of the special order, it being Senate file No. 2, a bill for an act creating a board of school book commissioners and to provide for furnishing text-books for the common schools of the State, it was taken up and on motion of Senator Finn, postponed until 11:30.

The Senate resumed consideration of the special order, Senate file No. 336, a bill for an act to regulate the sale and manufacture of intoxicating liquors in municipal corporations.

Senator Finn offered the following amendment: Add to section 8:

Providing always, that before any such license shall issue in any county in this State it shall be made to appear to the satisfaction of such court that said county has provided and equipped a suitable and proper asylum for the reception, maintenance and care of all inebriates who may be found in said county or who may become inebriated while residing therein. In counties having a population of 20,000 inhabitants or over and less than 30,000, such asylum shall be capable of ac-

commodating and caring for at least 200 patients. In counties having a population of 30,000 or over and less than 40,000, 300 patients. In counties having a population of over 40,000 and less than 50,000, 400 patients. In counties having a population of over 50,000 such asylum shall be sufficient to accommodate and properly care for not less than 500 patients. In case any such county voting aforesaid be not provided as above required the board of supervisors of such county upon a petition of not less than one third of the free hold voters of such county are authorized to submit to the electors thereof the question of raising by tax a sum sufficient to meet the expenses of building, equipping and maintaining an asylum as herein required. The rules governing such election shall be, so far as applicable, those now provided by law in the matter of providing public buildings for the use of the several counties of this State. But in no event shall any license issue for the sale of intoxicants as a beverage until the full completion of such asylum and its equipment for the reception and care of patients as aforesaid.

Senator Price offered the following amendment to the amendment:

Amend by adding to section 8, "and provided further that no license shall issue and no drinking place be permitted within three miles of any public school building or State institution of learning."

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Brower, Caldwell, Davidson, Dungan, Finn, Funk, Harsh, Mack, McCoy, Meservey, Mills, Parrott, Perkins, Price, Reininger, Seeds, Smith of Wright, Vale, Weidman—20.

The nays were:

Senators Ballingall, Bayless, Bills, Bolter, Cassatt, Cleveland, Dodge, Gobble, Groneweg, Hanchett, Kegler, Kelly, Kent, Lawrence, Mattoon, Mosnat, Rich, Schmidt, Stewart, Taylor, Wolfe—21.

Absent or not voting:

Senators Clyde, Barnett, Barrett, Engle, Gatch, McVay, Shields, Smith of Linn, Woolson—9.

The amendment was lost.

The question now being on the adoption of the amendment offered by Senator Finn.

Pending consideration of which, the hour having arrived for consideration of the special order, it being Senate file No. 2, 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, it was taken up, and on motion of Senator Wolfe was postponed and made a special order for 10:25 A. M., to-morrow.

The Senate now resumed consideration of Senate file No. 336, a bill for an act to regulate the sale and manufacture of intoxicating liquors in municipal corporations.

The question being on the adoption of the amendment offered by Senator Finn.

Pending consideration of which, Senator McCoy moved that further consideration of this matter be postponed until next Thursday at 10 o'clock A. M., and that it be made a special order for that hour, and continue as such until disposed of.

Carried.

On motion of Senator Davidson, all bills made special orders for any hour on Wednesday, were made special orders for the same hour Thursday.

Senator Wolfe moved that Senate file No. 2, a bill for an act creating a board of school book commissioners and to provide for furnishing text-books for use in the common schools of the State, be made a special order for Thursday at 10.15 A. M. Carried.

The Journal of Saturday was considered and approved.

REPORTS OF STANDING COMMITTEES.

Senator Davidson, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate file No. 303, a bill for an act providing for the collection and preservation of historic records and other valuable materials pertaining to the history of Iowa, and making an appropriation therefor.

Also, Senate file No. 277, a bill for an act authorizing, in certain cities, a special tax for the grading of streets.

Also, Senate file 387, a bill for an act to defray the expenses of the several committees appointed to visit the various State institutions.

Also, Senate file 394, a bill for an act legalizing the electric light plant in the town of Montezuma, Iowa, and ordinances authorizing its establishment, and contracting for electric light for the streets of said town.

Also, Senate file 188, a bill for an act concerning the printing of the biennial report of the Commissioner of the Bureau of Labor Statistics.

Also, Senate file 133, a bill for an act to establish and maintain a fire department in cities of the second class.

Also, Senate file 211, a bill for an act to legalize the levy of certain taxes for certain years, in Carroll county, Iowa.

Also, Senate file 411, a bill for an act to legalize the incorporation of the town of Grand Mound, Clinton county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

Also Senate file No. 186, a bill for an act for the relief of F. Harbach.

And find the same correctly enrolled.

D. B. DAVIDSON, *Chairman*.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body the House has passed the following Senate bill with amendments:

S. F. No. 418, a bill for an act to provide for a levy of a half mill State tax for the years 1890 and 1891 for the purpose of properly meeting the necessary requirements of the several State institutions and for other purposes. Also, that a motion has been filed to reconsider the vote by which S. F. No. 133 passed the House.

H. S. WILCOX, *Chief Clerk*.

AFTERNOON SESSION.

The Senate reconvened at 2 o'clock.

Lieut-Gov. Poyneer in the chair.

On motion of Senator Mattoon, the Senate took a recess for 15 minutes.

At the end of the recess the Senate reconvened.

Senator Caldwell moved that the Senate do now adjourn.

Carried, and the Senate adjourned, and proceeded in a body to the east front of the Capitol to participate in the reunion of the Grand Army of the Republic, Department of Iowa, as provided for by resolution heretofore adopted.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, April 9, 1890. }

The Senate met in regular session at 10 o'clock A. M.

Lieut.-Gov. Poyneer in the chair.

Prayer by Rev. W. F. Cronk, pastor U. B. church, Des Moines.

Senator Seeds moved that the order of business fixed for this session, by resolution, be suspended for fifteen minutes to allow of the regular order.

Carried.

INTRODUCTION OF BILLS.

By Committee on Judiciary, Senate file No. 426, a bill for an act legalizing and declaring valid a certain deed or conveyance of real estate situated in Davis county, Iowa, made by Charles Parsons, executor and trustee of the last will and testament of William M. McPherson, deceased, late of the city and county of St. Louis, of the State of Missouri, to J. D. Trebilcock.

Read first and second times and ordered passed on the calander.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—The House has passed and asks the concurrence of the Honorable Senate in the following bills:

H. F. No. 505, a bill for an act to legalize the granting of a franchise for electric light by the city of What Cheer, Iowa.

H. F. No. 506, a bill for an act to legalize the action of the city council of the city of Keokuk, granting to John C. Hubinger and to his successors and assigns the privilege to such in the streets and alleys of said city the necessary poles, wires and conduits to properly maintain and operate an electric system for furnishing electric light and power to the inhabitants of the city of Keokuk. Also, I herewith present for your signature the following bills and joint resolutions which have passed both branches of the (t. A., been duly enrolled and signed by the Speaker of the House: S. F. Nos. 133, 186, 188, 211, 277, 303, 387, 394, 411.

H. F. Nos. 75, 417, 470. Joint resolution No. 8.

REPORTS OF STANDING COMMITTEES.

Senator Ed P. Seeds, 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. 419, a bill for an act to amend section 1, chapter 158, laws of the Twenty-first General Assembly, relative to salary of messenger in the State Library, beg leave to report 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 Finn, from the Committee on Schools, submitted the following reports:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 106, a bill for an act creating a board of school text-book commissioners, to provide by contract or otherwise a suitable series of uniform text-books for the use of the common schools of the State of Iowa, and making appropriations for carrying out 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 be indefinitely postponed, for the reason that a substitute has been prepared and reported for all school text-book bills.

G. L. FINN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 24, a bill for an 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 without recommendation.

G. L. FINN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate file No. 289, a bill for an act to amend section 1776, as amended by chapter 143 of the laws 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 without recommendation.

G. L. FINN, *Chairman*.

Ordered passed on file.

MINORITY REPORT.

Senators Engle and Cassatt filed the following:

MR. PRESIDENT—The undersigned, a minority of the Committee on Mines and Mining, to whom was referred House file No. 482, relating to mines and mining, a bill to protect miners and allow them just and commensurate damages for injuries sustained by the mismanagement, negligence or willful wrongs of their employes or officers. We believe that the laborer who toils in the damp and dangerous caverns of the earth should have reasonable protection from the willful wrongs or negligence of their employes or officers. Therefore, we, the undersigned, recommend that House file No. 482 do pass.

E. R. CASSATT,

Senator Fifteenth Senatorial District.

PERRY ENGLE,

Senator Twenty-ninth Senatorial District.

The Senate proceeded to consider bills on the calendar as heretofore provided by resolution.

Senate file No. 323, a bill for an act to amend section twenty hundred and seventeen (2017) of Code, with report of a majority of committee recommending that it be indefinitely postponed, was taken up, considered and report of committee adopted.

Senate file No. 314, a bill for an act to amend section two thousand and seventeen (2017) of chapter nine (9) of the Code of 1873, relative to landlords' liens, with report of a majority of Committee recommending that it be indefinitely postponed, was taken up, considered, and report of committee was adopted.

HOUSE MESSAGES.

On motion of Senator Stewart the rule was suspended and the Senate took up House messages.

House file No. 505, a bill for an act to legalize the granting of a franchise for electric light by the city of What Cheer, Iowa.

Read first and second times and referred to the Committee on Judiciary.

House file No. 506, an act to legalize the action of the city council of the city of Keokuk, granting to John C. Hubinger, and to his successors and assigns, the privilege to such in the streets and alleys of said city, the necessary poles, wires and conduits to properly maintain and operate an electric light and power to the inhabitants of the city of Keokuk.

Read first and second times and referred to the Committee on Judiciary.

On motion of Senator Taylor, Senate file No. 426, a bill for an act legalizing and declaring valid a certain deed or conveyance of real estate situated in Davis county, Iowa, made by Chas. Parsons, executor and trustee of the last will and testament of William M. McPherson, deceased, late of the city and county of St. Louis, of the State of Missouri, to J. D. Trebilcock, was taken up, and considered.

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 Ballingall, Barrett, Bills, Brower, Caldwell, Cleveland, Clyde, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Mack, Mattoon, McCoy, Meservey, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Seeds, Smith of Linn, Stewart, Taylor, Vale, Weidman and Wolfe—36.

The nays were—none.

Absent or not voting:

Senators Bailey, Barnett, Bayless, Bolter, Cassatt, Davidson, Dodge, Lawrence, McVay, Mills, Schmidt, Shields, Smith of Wright, and Woolson—14.

So the bill passed and the title was agreed to.

Senate file No. 63, a bill for an act to amend chapter 165, of the acts of the Seventeenth General Assembly, relating to capital punishment, with report of a majority of committee recommending that it be indefinitely postponed, a minority recommending amendments and that it do pass, was taken up, considered, and Senator Reiniger moved that the minority report be substituted for that of the majority.

Senator McCoy moved that further consideration of this matter be postponed until Friday, at ten o'clock A. M.

Lost.

The question now being on the adoption of the motion by Senator Reiniger.

On this the yeas and nays were demanded.

The yeas were:

Senators Bills, Clyde, Engle, Funk, Groneweg, Hanchett, Harsh, Kent, Mattoon, Mills, Parrott, Price, Reiniger, Vale, Weidman—15.

The nays were:

Senators Bailey, Ballingall, Barnett, Barrett, Bolter, Brower, Caldwell, Cassatt, Cleveland, Dungan, Gatch, Gobble, Kelly, Mack, McCoy, Meservey, Mosnat, Perkins, Rich, Schmidt, Seeds, Smith of Linn, Stewart, Taylor, Wolfe—25.

Absent or not voting:

Senators Bayless, Davidson, Dodge, Finn, Kegler, Lawrence, McVay, Shields, Smith of Wright, Woolson—10.

So the motion was lost.

The majority report was then adopted.

Senate file No. 315, a bill for an act entitled an act relating to certificates of membership in mutual benefit associations, with report of a majority of Committee recommending that it be indefinitely postponed, was taken up, considered, and the report of committee adopted.

Senate file No. 190, a bill for an act to amend section 2272 of the Code of 1873, and to provide for appointing guardians of the persons of habitual drunkards, and for the custody, restraint and confinement of habitual drunkards, and their reformation, under orders of the district court, or the judge thereof, and for terminating such guardianship, with report of a majority of committee recommending that it be indefinitely postponed, was taken up, considered and report majority of committee adopted.

Senator Smith of Linn moved that the rule be suspended and the Senate take up Senate file No. 325, a bill for an act conferring upon cities and incorporated towns certain additional powers, relating to the construction of street railways, and to define the motive power thereof, with report of Committee recommending amendments and that it do pass.

Lost.

Senate file No. 213, a bill for an act to provide for the purchase of property for the purpose of holding old settlers' meetings, and to keep the same in repair, with report of the Committee recommending that it be indefinitely postponed, was taken up, considered, and report of committee adopted.

On motion of Senator Meservey, Senate file No. 258, a bill for an act to legalize the acts of the clerk of the district and circuit courts of Plymouth county in entering judgments on confession, 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 considered engrossed and 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 Bailey, Ballingall, Barnett, Barrett, Bills, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Rich, Schmidt, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe—41.

The nays were—none.

Absent or not voting:

Senators Bayless, Bolter, Dodge, Finn, McVay, Reiniger, Seeds, Shields and Woolson—9.

So the bill passed and the title was agreed to.

Senate file No. 130, a bill for an act to amend sections 2962 and 2965 of the Code of Iowa, relating to attachments, with report of a majority of the committee recommending that it be indefinitely postponed, was taken up, considered, and on the adoption of the report of the committee the yeas and nays were demanded.

The yeas were:

Senators Bailey, Caldwell, Cassatt, Cleveland, Clyde, Dodge, Dungan, Finn, Gobble, Groneweg, Kelly, Lawrence, Mack, McCoy, McVay, Mills, Mosnat, Reiniger, Rich, Schmidt, Seeds, Vale, Wolfe—23.

The nays were:

Senators Ballingall, Barnett, Barrett, Bills, Brower, Engle, Funk,

Gatch, Hanchett, Harsh, Mattoon, Meservey, Parrott, Perkins, Price, Smith of Linn, Stewart, Taylor, Weidman—19.

Absent or not voting:

Senators Bolter, Davidson, Kegler, Kent, Shields, Woolson—6.

So the report of the committee was adopted.

Senator Price moved that the rule be suspended and the Senate take up for consideration legalizing acts.

Carried.

Senate file No. 391, a bill for an act to legalize the acts of county and township canvassing boards in reference to additional justices of the peace, and additional constables, and the official acts of officers acting in pursuance of the results declared by said canvassing boards, with report of committee recommending amendments and that it do pass, was taken up and considered.

Senator Clyde 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 Bailey, Ballingall, Barnett, Barrett, Bills, Bolter, Brower, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Smith of Wright, Taylor, Vale, Weidman, Wolfe—40.

The nays were—none.

Absent or not voting:

Senators Bayless, Caldwell, Cassatt, Hanchett, Mattoon, McCoy, Shields, Smith of Linn, Stewart, Woolson—10.

The amends to the title recommended by the committee were adopted.

So the bill passed and the title was agreed to.

On motion of Senator Clyde, Senate file No. 399, a bill for an act to legalize the official acts of N. S. Paull as acting deputy recorder of Worth county, Iowa, with report of committee recommending that it do pass, was taken up and considered.

Senator Clyde 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 Bailey, Ballingall, Barnett, Barrett, Bills, Bolter, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Gatch, Gobble, Grone-

weg, Harsh, Kegler, Kelly, Kent, Mack, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Smith of Linn, Stewart, Taylor, Vale, Weidman, Wolfe—37.

The nays were—none.

Absent or not voting:

Senators Bayless, Brower, Caldwell, Cassatt, Funk, Hanchett, Lawrence, Mattoon, McCoy, Mosnat, Shields, Smith of Wright, Woolson—13.

So the bill passed and the title was agreed to.

Senator Wolfe moved that at 11:58 A. M. the Senate take a recess until 2 o'clock P. M.

Carried.

On motion of Senator Gatch the rule was suspended and the following resolution considered:

Senator Gatch presented the following:

Resolved, That there be a session of the Senate on Friday the 11th inst., from 7:30 P. M. to 10:30 P. M., for the consideration of bills and resolutions, the passage of which has been recommended in their order on the calendar, and bills without recommendation. *Provided*, that no such bill shall be taken up for consideration, except at the request of the author of the bill, or if a House bill by the Senator having it in charge; and *provided further*, that not more than ten minutes be given to the consideration of any such bill, five of which may be used by such author of the bill, or Senator, in explaining the same.

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—The House has passed and asks the concurrence of the honorable Senate in the following bills: H. F. No. 306, a bill for an act relating to the drawing of moneys from the State treasury.

Also, S. F. 374, a bill for an act to relieve Mrs. A. Neet, of Reinbeck, Iowa.

Also, I herewith present for your signature the following bills which have passed both branches of this G. A., been duly enrolled and signed by the Speaker of the House:

S. F. Nos. 38, 175, 210, 393.

H. S. WILCOX, *Chief Clerk*,
per SHELTON.

REPORTS OF STANDING COMMITTEES.

Senator Davidson, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have examined Senate file No. 38, a bill for an act to provide for assessment

for taxation of the shares of capital stock of banking associations organized under the general incorporation laws of this State.

Also, Senate file 210, a bill for an act to legalize the acts of the council of the incorporated town of Arcadia, in Carroll county, Iowa.

Also, Senate file No. 175, a bill for an act to amend chapter thirty (30) of the laws of the Twenty-second General Assembly, and to remit certain penalties incurred thereunder.

Also, Senate file 393, a bill for an act legalizing the electric light plant in the town of Bloomfield, Iowa, and the ordinances authorizing its establishment and contracting for electric light for the streets of said town, and find the same correctly enrolled.

D. B. DAVIDSON, *Chairman*.

Senator Gatch filed the following motion:

I hereby move to reconsider the vote by which Senate file No. 63 was indefinitely postponed.

G. L. FINN.

Senator Dodge moved that the rules be suspended and the following resolution considered:

Carried.

Resolved, That a session of the Senate be held on Saturday evening the 12th of April, beginning at 7:30 P. M., and that Senate file No. 292, the Australian ballot bill be considered at that time.

Pending which, the Senate took a recess until 2 o'clock P. M.

The Senate re-convened at 2 o'clock P. M.

Lieut.-Gov. Poyneer in the chair.

Senator Dungan moved that the Senate do now adjourn until 9 o'clock A. M. to-morrow.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bolter, Caldwell, Dungan, Finn, Funk, Lawrence, Mattoon, McCoy, Meservey, Mosnat, Smith of Linn—12.

The nays were:

Senators Bailey, Ballingall, Cleveland, Clyde Davidson, Dodge, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Mack, McVay, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe—26.

Absent or not voting:

Senators Barnett, Bayless, Bills, Brower, Cassatt, Engle, Hanchett, Kent, Rich, Schmidt, Shields, Woolson—12.

So the motion was lost.

The journal of yesterday was corrected and approved.

The question now being on the motion of Senator Dodge to suspend the rule to consider his resolution relative to making the Australian ballot bill a special order, it was withdrawn and the resolution passed over under the rules.

The Senate resumed consideration of legalizing acts.

House file No. 263, a bill for an act legalizing the revised ordinances of the city of Independence, in Buchanan county, Iowa, 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 and 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 Bailey, Ballingall, Barrett, Bills, Bolter, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Seeds, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe—40.

The nays were—none.

Absent or not voting:

Senators Barnett, Bayless, Brower, Cassatt, Engle, Hanchett, Mattoon, Schmidt, Shields, Woolson—10.

So the bill passed and the title was agreed to.

House file No. 302, a bill for an act to legalize the organization of the Des Moines conference of the Evangelical Association of Iowa, with report of committee recommending that it do pass, was taken up and considered.

Senator Perkins 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 Ballingall, Barrett, Bills, Bolter, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Finn, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, McCoy, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Seeds, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe—36.

The nays were—none.

Absent or not voting:

Senators Bailey, Barnett, Bayless, Brower, Cassatt, Engle, Funk,

Hanchett, Mattoon, McVay, Meservey, Schmidt, Shields, Woolson—14.

So the bill passed and the title was agreed to.

President pro tem Meservey now took the chair.

Senate file No. 258, a bill for an act to legalize the acts of the clerk of the district and circuit courts of Plymouth county in entering judgments on confession, with the report of the committee recommending, was taken up and considered.

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 Bailey, Ballingall, Barrett, Bills, Bolter, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Rich, Seeds, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe—39.

The nays were—none.

Absent or not voting:

Senators Barnett, Bayless, Brower, Cassatt, Engle, Hanchett, Mattoon, Mosnat, Schmidt, Shields, Woolson—11.

So the bill passed and the title was agreed to.

Senate file No. 395, a bill for an act to legalize the incorporation of the Deep River Farmers' Alliance Stock Company, at Deep River, Poweshiek county, Iowa, the election of its officers, and all acts done by it, with report of committee recommending that it do pass, was taken up and considered.

Senator Stewart 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 Bailey, Ballingall, Barnett, Barrett, Bills, Bolter, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe—41.

The nays were—none.

Absent or not voting:

Senators Bayless, Brower, Cassatt, Hanchett, Mattoon, Mosnat, Shields, Smith of Linn, Woolson—9.

So the bill passed and the title was agreed to.

House file No. 416, a bill for an act to legalize the extension of Benz street, in the incorporated town of Lawler, Chickasaw county, Iowa, 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 considered engrossed and 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 Bailey, Ballingall, Bills, Bolter, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gatch, Gobble, Grone-weg, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Smith of Wright, Stewart, Taylor, Vale, Wolfe—38.

The nays were—none.

Absent or not voting:

Senators Barnett, Barrett, Bayless, Brower, Cassatt, Hanchett, Mattoon, Mosnat, Shields, Smith of Linn, Weidman, Woolson—12.

So the bill passed and title was agreed to.

Senate file No. 412, a bill for an act to legalize the proceedings of the board of supervisors of Calhoun county, in locating and constructing ditches in said county, and in assessing the costs thereof on the lands benefited thereby, with report of committee recommending amendments, and that it do pass, was taken up, considered, and the amendments recommended by 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 Bailey, Ballingall, Barnett, Bills, Bolter, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gatch, Gobble, Grone-weg, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Smith of Wright, Stewart, Taylor, Weidman and Wolfe—38.

The nays were—none.

Absent or not voting:

Senators Barrett, Bayless, Brower, Caldwell, Cassatt, Hanchett, Harsh, Mosnat, Shields, Smith of Linn, Vale and Woolson—11.

So the bill passed and the title was agreed to.

Senate file No. 422, a bill for an act legalizing certain ordinances of the incorporated town of Polk City, Polk county, Iowa, with re-

port of committee recommending that it do pass, was taken up and considered.

Senator Gatch moved that the rules be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bailey, Ballingall, Barnett, Bills, Bolter, Caldwell, Cleveland, Clyde, Dodge, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe—37.

The nays were—none.

Absent or not voting:

Senators Barrett, Bayless, Brower, Cassatt, Davidson, Finn, Hanchett, Harsh, Kegler, Mosnat, Shields, Smith of Linn, Woolson—13.

So the bill passed and the title was agreed to.

House file No. 169, a bill for an act to legalize the levy of certain taxes for certain years, with report of committee recommending it be indefinitely postponed, was taken up, considered and the report of the committee was adopted.

House file No. 268, a bill for an act to legalize the incorporation of the town of Gilmore City, in Humboldt and Pocahontas counties, Iowa, and a subsequent annexation thereto, and the ordinances and the official acts of the town council thereof, with report of committee recommending that it do pass, was taken up and considered.

Senator Mack 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 Bailey, Ballingall, Barnett, Bills, Bolter, Caldwell, Cleveland, Clyde, Dodge, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Kegler, Kelly, Kent, Lawrence, Mack, McCoy, Meservey, Mills, Parrott, Perkins, Price, Rich, Schmidt, Seeds, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe—37.

The nays were—none.

Absent or not voting:

Senators Barrett, Bayless, Brower, Cassatt, Davidson, Harsh, Hanchett, Mattoon, McVay, Mosnat, Reiniger, Shields, Smith of Linn, Woolson—14.

So the bill passed and the title was agreed to.

House file No. 464, a bill for an act legalizing the electric light

plant in the town of Bloomfield, Iowa, and the ordinances authorizing its establishment and contracting for electric light for the streets of said town, 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 Ballingall, the rule was suspended and the Senate took up for consideration Senate file No. 358, a bill for an act granting to the city of Ottumwa, all the title and interest of the State of Iowa, in and to certain ground in the city of Ottumwa, with report of committee recommending that it do pass, was taken up and considered.

Senator Ballingall 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 Bailey, Ballingall, Barnett, Bills, Bolter, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Kegler, Kelly, Lawrence, Mack, Mattoon, McCoy, Meservey, Mosnat, Parrott, Perkins, Price, Rich, Schmidt, Seeds, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe—38.

The nays were—none.

Absent or not voting:

Senators Barrett, Bayless, Brower, Cassatt, Hanchett, Harsh, Kent, McVay, Mills, Reiniger, Shields, Woolson—12.

So the bill passed and title was agreed to.

REPORTS OF STANDING COMMITTEES.

Senator Davidson, 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 470, an act to authorize the auditor to credit Fremont county on account of school fund and county fund.

Also, joint resolution No. 8, joint resolution and memorial relative to protecting the lives of miners in the Territories of the United States.

Also, House file No. 75, an act making further provision with respect to contracts by cities organized under special charters for paving and curbing streets and the making and construction, by such cities, of sewers, and the making and collection by such cities of assessments, and the issuance of bonds or certificates by such cities to pay for such improvements.

Also, House file 417, an act appropriating \$440.70 to defray the expenses of certain members of the 22d General Assembly appointed by the Governor to attend the "Beef and Pork Combine" convention at St. Louis.

Also, Senate file 210, an act to legalize the acts of the council of the incorporated town of Arcadia, in Carroll county, Iowa.

Also, Senate file 211, an act to legalize the incorporation of the town of Grand Mound, Clinton county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

Also, Senate file 393, an act legalizing the electric light plant in the town of Bloomfield, Iowa, and the ordinances authorizing its establishment and contracting for electric light for the streets of said town.

Also, Senate file 394, an act legalizing the electric light plant in the town of Montezuma, Iowa, and the ordinances authorizing its establishment and contracting for electric light for the streets of said town.

Also, Senate file No. 387, an act to defray the expenses of the several committees appointed to visit the various State institutions.

Also, Senate file 303, an act providing for the collection and preservation of historic records and other valuable material pertaining to the history of Iowa and making an appropriation therefor.

Also, Senate file 277, an act authorizing in certain cities a special tax for the grading of streets.

Senate file No. 211, an act to legalize the levy of certain taxes for certain years in Carroll county, Iowa.

Also, Senate file 188, an act concerning the printing of the biennial report of the Commissioner of the Bureau of Labor Statistics.

Also, Senate file No. 186, an act for the relief of F. Harbach.

Also, Senate file No. 133, an act to establish and maintain a fire department in cities of the second class.

Also, Senate file 38, an act to provide for the assessment for taxation of the shares of capital stock of banking associations organized under the general incorporation laws of this State.

Also, Senate file 175, an act to amend chapter thirty (30) of the laws of the Twenty-second General Assembly, and to remit certain penalties incurred thereunder.

Senator Finn moved that the Senate do now adjourn until 9 o'clock A. M. to-morrow.

Carried and the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, April 10, 1890. }

The Senate met in regular session at 9 o'clock A. M.

Lieut.-Gov. Poyneer in the chair.

Prayer by Rev. D. McPherson, of Friends' church, Des Moines.

Senator Caldwell offered the following:

Resolved, That the President of the Senate appoint a sitting committee, consisting of nine members, 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. Said reported bills to be taken up by the Senate for consideration in the order in which they are reported.

Passed over under the rule.

Senator Weidman offered the following:

Resolved, By the Senate, that there be a session of the Senate held each evening except Monday evening, beginning at 7:30, until otherwise ordered.

Adopted.

Senator Caldwell moved that the substitute for Senate file No. 218, a bill for an act to provide for and regulate the keeping and sale of intoxicating liquors for lawful purposes, and to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19, of chapter 71, laws of the Twenty-second General Assembly, be now taken up for consideration.

Carried, and the Senate considered the bill.

Pending which, Senator McCoy moved to suspend consideration of this bill for the present, and that it follow the disposition of Senate file No. 154.

Also, that Senate file No. 2 be the next considered after Senate file No. 414.

Carried.

The hour having arrived for consideration of the special order, it being Senate file No. 336, a bill for an act to regulate the sale and manufacture of intoxicating liquor in municipal corporations, it was taken up and considered.

The question being on the adoption of the amendment offered by Senator Finn to section 8.

Pending consideration of which, the hour having arrived for consideration of the special order, it being House file No. 174, a bill for an act for the punishment of pools, trusts, combinations and conspiracies, and as evidence in such cases, with report of Committee on

Labor recommending that it do pass, and Senator Harsh moved that it be taken up for consideration.

Lost.

Senator Harsh demanded the yeas and nays.

The chair ruled the demand for the yeas and nays to be out of order because not called for until after the chair had announced the result of the vote upon the motion.

The Senate resumed consideration of Senate file No. 336, a bill for an act to regulate the sale and manufacture of intoxicating liquors in municipal corporations. The question being on the adoption of the amendment offered by Senator Finn to section 8.

Pending which, the hour having arrived for the consideration of the special order:

Senate file No. 365, a bill for an act limiting the size of screens to be used in the screening of coal at the coal mines of the State, and fixing the weights to be used.

Senate file No. 14, 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 operators of coal mines and their employes.

Senate file No. 9, a bill for an act to amend chapter 54 of the acts of the Twenty-second General Assembly, providing for weighing coal at mines.

They were taken up and on motion of Senator Davidson were postponed to follow consideration of Senate file No. 166.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—The House has passed, and asks the concurrence of the honorable Senate in the following bills:

Substitute for H. F. No. 216, a bill for an act to extend to cities of the second class, having more than 3,000 population, the provisions of chapter 162, acts of the 17th General Assembly.

House file No. 362, a bill for an act to provide for printing and distributing ballots at the public expense, and to regulate voting at State and other elections.

House file No. 341, a bill for an act to amend chapter 154, laws of the 18th General Assembly, regulating the good time of prisoners in our penitentiaries.

H. S. WILCOX, *Chief Clerk.*

REPORTS OF STANDING COMMITTEES.

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

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate file No. 406, a bill for an act to provide for a semi-centennial compilation of the

statistics showing the growth and resources 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 do pass.

A. B. FUNK, *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. 424, a bill for an act relating to the liability of mine operators for the negligence or wrongs of their 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 it be indefinitely postponed.

WARREN S. DUNGAN, *Chairman*.

Ordered passed on file.

The following minority report was filed.

MINORITY REPORT.

MR. PRESIDENT—The undersigned, a minority of the Committee on Mines and Mining, to whom was referred Senate file No. 424 relating to mines and mining, a bill to protect miners and allow them just and commensurate damages for injuries sustained by the mismanagement, negligence or willful wrongs of the employers or officers. We believe that the laborer who toils in the dark, damp and dangerous caverns of the earth should have reasonable protection from the willful wrongs or negligence of their employes or officers. Therefore we, the undersigned, recommend that House file No. 482 do pass.

E. R. CASSATT,

15th Senatorial District.

PERRY ENGLE,

29th Senatorial District.

The Senate resumed consideration of Senate file No. 336, a bill for an act to regulate the sale and manufacture of intoxicating liquors in municipal corporations.

The question being on the adoption of the amendment offered by Senator Finn to section 8.

Senator Kegler moved to strike out all after the word "therein" in the amendment and insert in lieu thereof the words "unless the board of supervisors of any county should otherwise order."

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Barnett, Bayless, Bills, Bolter, Cassatt, Cleveland, Dodge, Gobble, Groneweg, Hanchett, Kegler, Kelly, Kent, Mattoon, Mosnat, Rich, Schmidt, Shields, Stewart, Taylor—21.

The nays were:

Senators Bailey, Barrett, Brower, Caldwell, Clyde, Davidson, Dun-

gan, Engle, Finn, Funk, Gatch, Harsh, Lawrence Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Linn, Smith of Wright, Vale, Weidman, Woolson, Wolfe—29.

So the amendment was lost.

The question now being on the adoption of the original amendment to section 8.

Senator Dodge offered the following substitute: "That a State institution be provided for the care and treatment of habitual drunkards and that the same be supported as other State institutions."

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Bayless, Bills, Bolter, Cassatt, Cleveland, Dodge, Gobble, Groneweg, Hanchett, Kegler, Kelly, Kent, Mattoon, Mosnat, Rich, Schmidt, Shields, Stewart, Taylor—20.

The nays were:

Senators Bailey, Barnett, Barrett, Brower, Caldwell, Clyde, Davidson, Dungan, Engle, Finn, Funk, Gatch, Harsh, Lawrence, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Linn, Smith of Wright, Weidman, Woolson—28.

Absent or not voting:

Senators Vale, Wolfe—2.

So the substitute was lost.

The question now being on the adoption of the original amendment to section 8.

On this the yeas and nays were demanded.

The yeas were:

Senators Caldwell, Clyde, Davidson, Dungan, Engle, Finn, Funk, Harsh, Mack, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Wright, Vale, Weidman, Woolson—21.

The nays were:

Senators Ballingall, Barnett, Bayless, Bills, Bolter, Brower, Cassatt, Cleveland, Dodge, Gatch, Gobble, Groneweg, Hanchett, Kegler, Kelly, Kent, Lawrence, Mattoon, Mosnat, Rich, Schmidt, Shields, Smith of Linn, Stewart, Taylor, Wolfe—26.

Absent or not voting:

Senators Barrett, Bailey, McCoy—3.

So the amendment was lost.

Senator Smith of Linn offered the following amendment: Strike out section 1 and insert—

SECTION 1. Any city in this State, whether organized under the general incorporation laws or organized and acting under a special charter having a population of 4,000 inhabitants or more, as determined by the last preceding State or national census, may, in the manner and upon the conditions following, and not otherwise,

provide for a special election for the purpose of determining whether permits shall be granted to keep for sale and sell intoxicating liquors as a beverage in said city, any statute of this State to the contrary notwithstanding.

Senator Hanchett moved to amend by striking out the figures "4,000" and inserting the figures "2,000."

On this the yeas and nays were demanded.

The yeas were:

Senators Bolter, Cassatt, Cleveland, Dodge, Gobble, Groneweg, Hanchett, Kelly, Kent, Lawrence, Mattoon, Mosnat, Schmidt, Shields, Stewart, Taylor, Wolfe—17.

The nays were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Clyde, Davidson, Dungan, Engle, Gatch, Harsh, Kegler, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Rich, Seeds, Smith of Linn, Smith of Wright, Vale, Weidman, Woolson—31.

Absent or not voting:

Senators Finn, Funk—2.

So the amendment was lost.

Senator Bolter moved to amend the amendment by striking out the figures "4,000" and inserting the figures "500."

Pending consideration of which, a committee from the State Encampment of the G. A. R., were received by the Senate by unanimous consent, and presented the following communication and resolutions, which were made a part of the records of the Senate.

HEADQUARTERS DEPARTMENT OF IOWA, G. A. R., }
DES MOINES, IOWA, April 10, 1890. }

To the Twenty third General Assembly of Iowa:

GENTLEMEN—We are before you as a committee appointed by the sixteenth annual encampment, Department of Iowa, G. A. R., to express the thanks of the encampment for the courtesies extended by your honorable bodies, and to present for your consideration the following resolutions, passed after due deliberation and full discussion, by unanimous vote of the encampment.

Very respectfully,

JOSIAH GIVEN,
J. A. T. HULL,
THOS. H. LEE,
W. H. REDMAN,
J. G. HUTCHISON.

To the Governor and General Assembly of the State of Iowa:

The sixteenth encampment of the Grand Army of the Republic, department of Iowa, now in session, desire to express to you, and through you to the generous hearted people of this State, their gratitude and high appreciation of the liberal provisions made for the unfortunate and needy veterans of Iowa.

They especially desire at this time to return their thanks for the laws now on the statute books which provide for him a home when needed while living, a decent burial when dead, and a system of taxation whereby he and his widow and orphans need not pass the portals of the alms house in order to receive public aid. We beg to assure you and through you the people of Iowa, that the old soldiers of this State will ever hold these acts in grateful remembrance.

Resolved, That we urge upon the general assembly now in session to provide a reasonable appropriation for the immediate erection and maintenance of a hospital in connection with the Soldiers' Home, for such sick and suffering comrades as may need special care and treatment; and also provide for appropriating out of the moneys that may be paid to the State from refunding the direct war tax paid by the State, a sufficient sum to erect at the capitol a State soldiers' and sailors' monument, arch, memorial hall, or monument and memorial hall combined, expressive 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 in the recent war in defense of the union.

Resolved, By the Sixteenth Encampment of G. A. R. of State of Iowa, that the report of the Committee on Battle Flags of Iowa Regiments is hereby approved.

Resolved, That we respectfully urge the Twenty-third General Assembly to at once provide for the removal of said battle flags and arranging them around the rotunda of the capitol in heremetically sealed glass cases, so that all who enter the building may have the privilege of seeing them.

Resolved, That the efforts being made in the General Assembly now in session to provide United States regulation flags for the public schools meet our most cordial approval and that we respectfully ask that a suitable law be passed on that subject.

The Senate resumed consideration of Senate file No. 336.

The question being on the adoption of the amendment offered by Senator Bolter to the substitute offered by Senator Smith of Linn for section 1.

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Bayless, Bills, Bolter, Cassatt, Cleveland, Dodge, Gobble, Groneweg, Hanchett, Kegler, Kelly, Kent, Mattoon, Mosnat, Rich, Schmidt, Shields, Stewart, Wolfe—20.

The nays were:

Senators Bailey, Barnett, Barrett, Brower, Caldwell, Clyde, Dungan, Engle, Funk, Gatch, Harsh, Lawrence, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Linn, Smith of Wright, Taylor, Vale, Weidman—27.

Absent or not voting:

Senators Davidson, Finn, Woolson—3.

So the amendment was lost.

The question now being on the adoption of the substitute offered by Senator Smith of Linn for section 1.

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Barnett, Barrett, Dodge, Dungan, Engle, Gatch, Groneweg, Hanchett, Reiniger, Smith of Linn, Taylor—12.

The nays were:

Senators Bailey, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Clyde, Finn, Funk, Gobble, Harsh, Kegler, Kelly, Kent, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Rich, Schmidt, Seeds, Shields, Smith of Wright, Stewart, Vale, Weidman, Woolson—34.

Absent or not voting:

Senators Davidson, Lawrence, Mack, Wolfe—4.

So the substitute was lost.

Senator Kelly moved the previous question.

Carried, and the previous question was seconded.

The main question was now ordered put.

The question now being, shall the bill be engrossed?

The yeas were:

Senators Ballingall, Bayless, Bills, Bolter, Cassatt, Cleveland, Dodge, Gobble, Groneweg, Hanchett, Kegler, Kelly, Kent, Mattoon, Mosnat, Rich, Schmidt, Shields, Stewart, Taylor, Wolfe—21.

The nays were:

Senators Bailey, Barnett, Barrett, Brower, Caldwell, Clyde, Davidson, Dungan, Engle, Finn, Funk, Gatch, Harsh, Lawrence, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Linn, Smith of Wright, Vale, Weidman, Woolson—29.

So the bill was lost on engrossment.

Senator Hanchett explained his vote as follows:

MR. PRESIDENT—I am in favor of the passage of this act for the following reasons:

First. Because the prohibitory law has done more to retard and check emigration into the State than all other causes combined. It is a well known fact that for the past four years but a very limited number of foreign or native born citizens of the U. S. have been or could be induced to enter into the State for the purpose of becoming citizens thereof, and purchasing farm lands or other real property therein, or investing capital to any extent in manufacturing or other business enterprise. This alone should be sufficient cause for repealing the present prohibitory laws of the State.

Second. Because it has become a settled fact that in nearly all, if not all, of the cities within the State, the enforcement of the existing prohibitory law now is, and always has been a failure, for the reason that a large percentage of the inhabitants of such cities are opposed to said law, and as the majority always has and always should rule, said prohibitory law should be repealed, and the people granted the relief they ask for.

Third. Because more than five millions of dollars are annually sent out of the

State for the purchase of ale, wine, beer, etc., which is shipped into and consumed by the inhabitants of the State, and if no other good and valid reasons existed, this of itself should cause a repeal of the prohibitory law and our citizens should be allowed to manufacture and sell said articles, thereby giving employment to thousands of her people and retain within the State the immense sums now being paid to the people of other States, for so long as the sun shines, and the clover blossoms, will ale, wine, beer, etc., be manufactured sold and consumed.

Fourth. Because it has been clearly demonstrated that prohibition does not prohibit. I therefore vote aye.

L. S. HANCHETT, *Senator 39th District.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—The House has passed and asks the concurrence of the honorable Senate in the following bills and concurrent resolutions:

H. F. No. 348, a bill for an act to legalize conveyance of real property by executors or trustees under foreign wills.

House file No. 329, a bill for an act to amend section 1400, title 11, chapter 2 of the Code, relative to the proceedings before the Commissioners of Insanity.

H. F. No. 271, a bill for an act to amend chapter 32 of the acts of the Twenty-second General Assembly, relating to viaducts in cities.

H. F. No. 76, a bill for an act entitling persons paying special taxes assessed upon real estate, for the improvement of streets in cities existing under special charters, having a population of 20,000 under the census of 1885, to be credited with the amount of such special taxes so paid upon any general road or street tax charged against them on account of some real estate.

H. F. 144, a bill for an act to amend section 2 of chapter 95, acts of the Twenty-second General Assembly, in relation to line fences.

H. F. No. 157, a bill for an act to provide for the election of clerks of committees of the Senate and House of Representatives.

House file No. 430, a bill for an act to repeal section 1, chapter 39, of the laws of the 15th General Assembly, as amended by chapter 68, laws of the 17th General Assembly, and enact a substitute therefor.

Concurrent resolution relative to application of Honora Curtin for pardon.

Also, that the House has passed a substitute for S. F. No. 3, a bill for an act providing for the payment of bank examinations and fixing the fee for the same.

H. S. WILCOX, *Chief Clerk.*

Senator Brower presented the vouchers and bills of expense incurred in the decoration of the capitol in honor of the G. A. R. encampment.

Referred to Committee on Appropriations.

The Senate adjourned.

AFTERNOON SESSION.

Senate reconvened at 2 o'clock P. M.

Lieutenant-Governor Poyneer in the chair.

The Senate took up for consideration the special order, it being Senate file No. 154, a bill for an act authorizing cities having a population of 5,000 inhabitants or more, to permit the sale of intoxicating liquors as a beverage, and to permit its manufacture and sale in such cities, with report of committee recommending amendments and that it do pass.

On motion of Senator McCoy it was postponed for fifteen minutes to allow the Senate to take up House messages.

HOUSE MESSAGES.

House file No. 348, a bill for an act to legalize conveyances of real property by executors or trustees under foreign wills.

Read first and second times and referred to the Committee on Judiciary.

House file No. 329, a bill for an act to amend section 1400, title 11, chap. 2 of the Code, relative to proceedings before the commissioners of insanity.

Read first and second times and referred to the Committee on Judiciary.

House file No. 271, a bill for an act to amend chapter thirty-two (32) of the acts of the Twenty-second General Assembly, relating to viaducts in cities.

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

House file No. 76, a bill for an act entitling persons paying special taxes assessed upon real estate for the improvement of streets in cities existing under special charters having a population of 20,000 under the census of 1885, to be credited with the amount of such special taxes so paid upon any general road or street tax charged against them on account of same real estate.

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

House file No. 144, a bill for an act to amend section 2 of chapter

95, acts of the Twenty-second General Assembly, in relation to line fences.

Read first and second times and referred to the Committee on Agriculture.

House file No. 157, 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 Compensation of Public Officers.

House file No. 430, a bill for an act to repeal section one (1), of chapter thirty-nine (39), laws of the Fifteenth (15) General Assembly, as amended by chapter sixty-eight (68), laws of Seventeenth General Assembly, and enact a substitute therefor.

Read first and second times and referred to the Committee on Judiciary.

Substitute for House file No. 216 and 224, a bill for an act to extend to cities of the second class having more than 3,000 population, the provisions of chapter 162, acts of the Seventeenth General Assembly.

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

House file No. 341, 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 Penitentiary and Pardons.

House file No. 362, a bill for an act by Committee on Retrenchment and Reform, to provide for printing and distributing ballots at the public expense, and to regulate voting at State and other elections.

Read first and second times and referred to the Committee on Elections.

Concurrent resolution relative to the pardon of Honora Curtain.

Read and referred to Committee on Penitentiaries and Pardons.

The Senate resumed consideration of the special order, it being Senate file 154, a bill for an act authorizing cities having a population of 5,000 inhabitants or more, to permit the sale of intoxicating liquors as a beverage, and to permit its manufacture in such cities, with report of committee recommending amendments and that it do pass, was taken up, considered, and the first amendment recommended by the committee was lost; all amendments recommended by the committee were lost.

Senator Smith of Linn moved to amend section 1, by striking out all of the first line to, and including the word "thousand," and inserting the following: "Any city in this State, whether organized under the

general incorporation laws or organized and acting under a special charter having a population of three thousand."

Senator Hanchett moved to amend the amendment by striking out the figures "3,000," and inserting in lieu thereof, the figures "1,500."

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Bayless, Bills, Bolter, Cassatt, Cleveland, Dodge, Gobble, Groneweg, Hanchett, Kegler, Kelly, Kent, Mattoon, Mosnat, Schmidt, Shields, Stewart, Wolfe—19.

The nays were :

Senators Bailey, Barnett, Barrett, Brower, Caldwell, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Harsh, Lawrence, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Rich, Seeds, Smith of Linn, Smith of Wright, Vale, Weidman, Woolson—29.

Absent or not voting:

Senators Engle, Taylor—2.

So the amendment was lost.

Senator Bayless moved to amend the amendment, by striking out the figures "3,000" and inserting in lieu thereof the figures "300."

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Bayless, Bills, Bolter, Cassatt, Cleveland, Dodge, Gobble, Groneweg, Hanchett, Kegler, Kelly, Kent, Mosnat, Rich, Schmidt, Shields, Stewart, Wolfe—19.

The nays were:

Senators Bailey, Barnett, Barrett, Caldwell, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Harsh, Lawrence, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Linn, Smith of Wright, Vale, Weidman, Woolson—27.

Absent or not voting:

Senators Brower, Engle, Taylor, Mattoon—4.

So the amendment was lost.

Senator Kegler offered the following amendment to the amendment:

Insert, after the word "city," in first line of section 1, the words, "incorporated town and township," and strike out the word "thousand" in said first line of section 1, and insert "hundred."

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Bayless, Bills, Bolter, Cassatt, Cleveland, Dodge, Gobble, Groneweg, Hanchett, Kegler, Kelly, Mattoon, Mosnat, Rich, Schmidt, Shields, Stewart—18.

The nays were:

Senators Bailey, Barnett, Barrett, Brower, Caldwell, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Harsh, Lawrence, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Linn, Smith of Wright, Vale, Weidman, Woolson—28.

Absent or not voting:

Senators Engle, Kent, Taylor, Wolfe—4.

So the amendment was lost.

The question now being on the adoption of the original amendment offered by Senator Smith of Linn to section 1.

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Bayless, Bills, Bolter, Cassatt, Cleveland, Dodge, Gobble, Groneweg, Hanchett, Kelly, Lawrence, Mattoon, Schmidt, Shields, Smith of Linn, Stewart, Wolfe—18.

The nays were:

Senators Bailey, Barnett, Brower, Caldwell, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Harsh, Kegler, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Rich, Seeds, Smith of Wright, Vale, Weidman, Woolson—27.

Absent or not voting:

Senators Barrett, Engle, Kent, Mosnat, Taylor—5.

So the amendment was lost.

Senator Gobble moved to strike out the words and figures "one thousand (\$1,000)" and insert in lieu thereof, the words and figures "six hundred (\$600)" in line 3, section 9.

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Bayless, Cassatt, Cleveland, Dodge, Gobble, Groneweg, Hanchett, Kegler, Kelly, Kent, Mattoon, Mosnat, Schmidt, Shields, Stewart—16.

The nays were:

Senators Bailey, Barnett, Barrett, Bills, Brower, Caldwell, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Harsh, Mack, McCoy, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Rich, Seeds, Smith of Linn, Smith of Wright, Vale, Weidman, Wolfe, Woolson—29.

Absent or not voting:

Senators Bolter, Lawrence, McVay, Taylor, Engle—5.

So the amendment was lost.

Senator Wolfe explained his vote as follows:

MR. PRESIDENT—I believe that any city with a population of 5,000 or over should pay a one thousand dollar license, and as the bill, should it become a law, will apply only to such cities, I vote no.

P. B. WOLFE, *Senator 22d District.*

Senator Smith of Linn offered the following amendment:

Strike out of section 12 lines 14, 15 and 16. and insert "it shall be unlawful for any person or persons conducting a business hereby permitted to set up, keep, or use, or to permit to be kept or used in or about the premises by any other person, or run in connection with such place of business permitted hereby in any manner or form whatever, any billiard table, pool table or any other gaming table, bowling or ten-pin alleys, cards, dice or other devices for gaming or amusement, and shall not permit any person in or about his place of business to play upon any such gaming table, bowling or ten-pin alley or with cards, dice or any gaming device of any kind whatever, nor shall any adjoining or contiguous rooms be supplied with liquors of any kind from the place of business permitted hereby.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Barrett, Bayless, Bills, Bolter, Cleveland, Dodge, Dungan, Engle, Finn, Funk, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mattoon, McCoy, Mosnat, Reiniger, Rich, Seeds, Shields, Smith of Linn, Stewart, Taylor, Vale, Weidman, Wolfe—33.

The nays were:

Senators Brower, Caldwell, Clyde, Davidson, McVay, Meservey, Mills, Parrott, Perkins, Price, Smith of Wright—11.

Absent or not voting:

Senators Barnett, Cassatt, Gatch, Mack, Schmidt, Woolson—6.

So the amendment was adopted.

Senator Perkins explained his vote as follows.

Because I intend to vote no on the bill I vote no on all amendments.

GEO. W. PERKINS, *Senator 7th District.*

The question being on the engrossment of the bill.

The yeas were:

Senators Ballingall, Bills, Cleveland, Dodge, Gobble, Groneweg, Hanchett, Kelly, Kent, Lawrence, Shields, Stewart, Wolfe—13.

The nays were:

Senators Bailey, Barnett, Barrett, Bayless, Bolter, Brower, Caldwell, Clyde, Davidson, Dungan, Engle, Finn, Funk, Gatch, Harsh, Kegler, Mack, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Smith of Linn, Smith of Wright, Vale, Weidman, Woolson—34.

Absent or not voting:

Senators Cassatt, Mattoon, Taylor—3.

So the bill was lost on engrossment.

Senator Barnett explained his vote as follows:

MR. PRESIDENT—I vote nay on this measure, out of deference to what I believe are the wishes of a great many of my constituents. My own personal views are that a well regulated high license law would be better than the present system for the larger cities; in other words, I am for prohibition where it will prohibit and local option elsewhere.

J. H. BARNETT, *Senator Eleventh District.*

Senator Engle explained his vote as follows:

I wish to represent the greatest number of my constituents. I believe that local option would be in the interest of true temperance in many of our large cities. I believe that the people of this country are sovereign. Their voice and votes should be heeded. This bill has many good points that I would be pleased to support. It has too many serious defects; therefore I vote no.

PERRY ENGLE, *29th Senatorial District.*

Senator Kegler explained his vote as follows:

MR. PRESIDENT—I am in favor of a reasonable license law, but this bill does only give a license to the larger cities, while smaller cities and towns are not granted the same rights, which is not only unconstitutional but unjust, and deprives one citizen of the right and privilege granted another; therefore, I vote no.

A. G. KEGLER, *Senator 23d District.*

Senator Wolfe offered the following:

Resolved, That the appropriation bills having been 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, and House messages and appropriation bills.

Adopted.

Senator Woolson filed the following:

I move to reconsider the vote by which the resolution offered by Senator Gatch was carried upon yesterday, with reference to evening session of Senate on Friday.

JNO. S. WOOLSON, *Senator 11th District.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—The House has passed and asks the concurrence of the honorable Senate in the following bills:

Substitute for H. F. No. 273, a bill for an act making appropriations for the hospital for the insane at Clarinda, Iowa.

Substitute for H. F. No. 139, a bill for an act making appropriations for the hospital for the insane at Mt. Pleasant, Iowa.

Substitute for H. F. No. 44, a bill for an act making appropriations for the Iowa Industrial School, boys' department, at Eldora, Iowa.

Substitute for H. F. No. 195, a bill for an act making an appropriation for the purpose of improving the grounds of the new capitol.

Substitute for H. F. No. 110, a bill for an act making appropriations for the College for the Blind at Vinton, Iowa.

Substitute for H. F. No. 279, a bill for an act making appropriations for the State Agricultural College.

Substitute for H. F. No. 194, a bill for an act for an appropriation for the Benedict Home at Des Moines, Iowa.

Substitute for H. F. No. 22, a bill for an act making appropriations for the Hospital for the Insane at Independence.

Substitute for H. F. No. 24, a bill for an act making appropriations for the Institution for Feeble-minded Children at Glenwood, Iowa.

Substitute for H. F. No. 431, a bill for an act to legalize the re-incorporation of the First Congregational Church in Toledo, Tama county, Iowa.

Also, I herewith present for your signature H. F. No. 386, which has passed both branches of this G. A., been duly enrolled and signed by the Speaker of the House.

H. S. WILCOX, *Chief Clerk*.

MESSAGE FROM THE HOUSE.

MR. PRESIDENT—The House has passed and asks the concurrence of the honorable Senate in substitute for H. F. No. 45, a bill for an act making appropriations for the Soldiers' Home at Marshalltown, Iowa.

Also, I herewith present for your signature the following bills, which have passed both branches of this G. A., been duly enrolled and signed by the Speaker of the House: S. F. Nos. 404, 153, 113, 212.

H. S. WILCOX, *Chief Clerk*.

Senator Davidson, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate file 404, a bill for an act to relieve Anderson M. Bengé and others to whom loans of the school fund were made in Madison county, Iowa.

Also, Senate file 153, a bill for an act to legalize certain ordinances of the incorporated town of Mitchellville, in the county of Polk and State of Iowa.

Also, Senate file 212, a bill for an act to permit the Board of Supervisors of Marshall county, Iowa, to refund money with interest to the widow and heirs of Harry Schofield, of Marshall county, Iowa.

Also, Senate file 113, a bill for an act to amend chapter 16 laws of the Twenty-second General Assembly, entitled, "An act granting additional powers 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, and find the same correctly enrolled.

D. B. DAVIDSON, *Chairman*.

Senator Dodge moved that the Senate take up his resolution relative to making the Australian ballot bill a special order for Saturday evening.

Pending consideration of which, the Senate adjourned.

EVENING SESSION.

The Senate reconvened at 7:30 P. M.

Lieut.-Gov. Poyneer in the chair.

The first business in order was Senate file No. 335, a bill for an act appropriating funds to defray the expenses of an Iowa exhibit at the world's fair, to be held at Chicago, A. D. 1892, with the report of the special committee recommending substitute, and when adopted it do pass.

It was taken up, read a first and second time, and considered, and the substitute recommended by the committee was adopted.

Senator Parrott moved to amend as follows: Strike out "eleven" in the third line of section 1 and insert "five;" also, to strike out the words, "to be selected one from each congressional district in the State," in the third and fourth lines of section 1.

Senator Bailey offered the following substitute for the amendment: Strike out all after "consist of" in the third line, up to, and including "State" in the 4th line, and insert "seven members, no two of whom shall be from the same congressional district."

Lost.

The question now being on the adoption of the original amendment On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Barnett, Bills, Bolter, Cleveland, Davidson, Dungan, Engle, Kegler, Mills, Parrott, Price, Seeds, Stewart, Taylor, Vale, Weidman—17.

The nays were:

Senators Bailey, Barrett, Bayless, Brower, Caldwell, Clyde, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kelly, Mack, McCoy, McVay, Meservey, Mosnat, Perkins, Reiniger, Rich, Schmidt, Shields, Smith of Linn, Wolfe, Woolson—26.

Absent or not voting:

Senators Cassatt, Dodge, Finn, Kent, Lawrence, Mattoon, Smith of Wright—7.

So the amendment was lost.

Senator Seeds offered the following: Add to end of section 2, the following: "Provided, further, that no appointments under this act shall be made, nor shall any money herein appropriated be drawn or

any charge or expense made until it is definitely known when the exposition is to be held."

Adopted.

Senator Mosnat offered the following: Add after the word "State" in the fourth line of section one "not more than six of whom shall be from the same political party."

Adopted.

Senator Barnett moved to strike out the words "Executive Council" in the first line of section 2 and insert the word "Governor."

Lost.

Senator Bailey moved to strike out the word "actively," in the nineteenth line of section 1 of the printed bill, and insert "actually."

Carried.

Senator Woolson moved to strike out the words "and associate," in the sixth line of section 1, printed bill.

Carried.

Senator Bailey moved to strike out the word "committee" and insert the word "council."

Carried.

Senator Price offered the following amendment:

Add to the end of section 2 as amended the following: "Provided, further, that said commission shall be restricted in expenditures to the sum herein appropriated."

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dungan, Engle, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Mack, Mattoon, McCoy, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—42.

The nays were—none.

Absent or not voting:

Senators Dodge, Finn, Funk, Gatch, Lawrence, McVay, Mosnat, Smith of Wright—8.

So the amendment was adopted.

Senator Gobble moved to amend section one as follows: Strike out the word "four" in line 18, and insert "five," and strike out "and actual necessary expenses" in lines 18 and 19. Add to the end of the section and "actual railroad fare paid."

Senator Clyde moved to amend the amendment, insert the words

"and necessarily" after the word "actually," in the 19th line of printed bill.

Adopted.

The original amendment, as amended, was adopted.

Senator Dungan moved to strike out all after the word "requisite" in the 10th line of section 2 of printed bill, up to and including the word "commission" in the 12th line, and insert in lieu thereof the following: "All payments of money by the State Treasurer, under the provisions of this act, shall be upon vouchers audited by the Executive Council."

Lost.

Senator Harsh moved to amend section 2 by inserting in the blank, in the first line after the word "of," the words "fifty thousand."

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Barrett, Bayless, Bills, Brower, Caldwell, Clyde, Davidson, Funk, Gobble, Harsh, Kelly, Mack, Mattoon, McCoy, Parrott, Perkins, Price, Reiniger, Schmidt, Shields, Smith of Linn, Vale, Weidman, Wolfe and Woolson—27.

The nays were:

Senators Barnett, Bolter, Cassatt, Cleveland, Dungan, Engle, Gatch, Groneweg, Hanchet, Kegler, McVay, Meservey, Mills, Rich, Seeds, Stewart and Taylor—17.

Absent or not voting:

Senators Dodge, Finn, Kent, Lawernce, Mosnat and Smith of Wright—6.

So the amendment was adopted.

Senator Groneweg moved to recommit the bill to the special committee on the World's Fair.

Pending which Senator Bolter moved that the Senate do now adjourn.

Lost.

The question now recurring on the motion of Senator Groneweg to recommit the bill.

On this the yeas and nays were demanded.

The yeas were:

Senators Bolter, Cassatt, Engle, Groneweg, Kegler, Mattoon—6.

The nays were:

Senators Bailey, Ballingall, Barrett, Bayless, Bills, Brower, Caldwell, Cleveland, Clyde, Davidson, Dungan, Funk, Gobble, Hanchett, Harsh, Kelly, Mack, McCoy, McVay, Meservey, Mills, Mosnat, Parrott,

Perkins, Price, Reiniger, Rich, Seeds, Shields, Smith of Linn, Stewart, Taylor, Vale, Weidman, Wolfe—35.

Absent or not voting:

Senators Barnett, Dodge, Finn, Gatch, Kent, Lawrence, Schmidt, Smith of Wright, Woolson—9.

So the motion was lost.

Senator Kelly moved the previous question. Lost, and the previous question was not seconded.

Senator Ballingall 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 Bailey, Ballingall, Barrett, Bayless, Brower, Caldwell, Cleveland, Clyde, Davidson, Dungan, Funk, Gobble, Hanchett, Harsh, Kelly, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Smith of Linn, Vale, Weidman, Wolfe, Woolson—29.

The nays were:

Senators Bolter, Cassatt, Engle, Groneweg, Kegler, Mattoon, Rich, Shields, Stewart, Taylor—10.

Absent or not voting:

Senators Barnett, Bills, Dodge, Finn, Gatch, Kent, Lawrence, Mosnat, Schmidt, Seeds, Smith of Wright—11.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—The House has passed and asks the concurrence of the honorable Senate in the following bills: Substitute for H. F. No. 410, a bill for an act making appropriations for the penitentiary at Ft. Madison, Iowa.

Substitute for H. F. No. 337, a bill for an act making appropriations for the institution for the Deaf and Dumb at Council Bluffs, Iowa.

Substitute for H. F. No. 340, a bill for an act making appropriations for the penitentiary at Anamosa.

Substitute for H. F. No. 318, a bill for an act making appropriations for the Soldiers' Orphans' Home and Home for Indigent Children at Davenport, Iowa.

Substitute for H. F. No. 297, a bill for an act making appropriations for the Iowa Industrial School Girls' department, Mitchellville, Iowa.

Substitute for H. F. No. 257, a bill for an act making an appropriation for the State Normal School at Cedar Falls, Iowa.

Substitute for No. H. F. 278, a bill for an act making appropriations for the State University at Iowa City.

Also, that the House has concurred in concurrent resolution relative to adjournment.

H. S. WILCOX, *Chief Clerk.*

On motion of Senator McVay the Senate adjourned until to-morrow at 9 o'clock A. M.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, April 11, 1890. }

The Senate met in regular session at 9 o'clock A. M.

Lieut.-Gov. Poyneer in the chair.

Prayer by Rev. W. H. W. Rees, pastor M. E. Church, Des Moines.

The hour having arrived for consideration of the special order, it being Senate file No. 414, substitute for Senate file No. 218, a bill for an act to provide for and regulate the keeping and sale of intoxicating liquors for lawful purposes, and to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19, of chapter 71, laws of the Twenty-second General Assembly, it was taken up and on motion of Senator Caldwell postponed for 20 minutes.

PETITIONS AND MEMORIALS.

Senator Barnett presented memorial of T. J. Thompson, Col. P. P. Henderson, J. T. Week, F. M. Milliken and 68 other soldiers of Warren county, against the building of any monuments or any other ornaments as long as there is a needy soldier or soldier's widow or children in this State.

Referred to Committee on Appropriations.

Senator Funk presented petition of 15 citizens of Dickinson county asking school book legislation.

Referred to Committee on Schools.

Senator Mack presented petition of John H. Davis, F. W. Hunt and 21 others of Buena Vista county, asking maintenance of the liquor laws.

Referred to Committee on Suppression of Intemperance.

Senator Davidson presented petition of W. D. Johnson Coal Company and 121 miners and operators of Boone county, asking for the passage of substitute for Senate file No. 365.

Passed on file and leave granted to withdraw.

REPORT OF SPECIAL COMMITTEE.

Senator Dungan, from the Special Joint Committee on Iowa battle flags, presented the following:

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

Your Joint Special Committee, to whom was referred the concurrent resolution relating to the expediency and desirability of the removal of the Iowa battle flags from the arsenal to the Capitol, beg leave to report that they have carefully con-

sidered the same, and your committee believe that the proposed removal of said flags to the Capitol is practicable, and greatly to be desired, because they can be better preserved and will be where they can be seen by all visitors, and thus become a daily inspiration and a delight, not only to our own patriotic people, but to all visitors to our beautiful capitol.

We submit the accompanying bill authorizing and requiring the removal of said flags and recommend its enactment by this General Assembly.

WARREN S. DUNGAN,
F. D. BAYLESS,
On the part of the Senate.
E. TOWNSEND,
A. ADDIE,
On the part of the House.

REPORTS OF STANDING COMMITTEES.

Senator Vale, from the Committee on Agriculture, submitted the following reports:

MR. PRESIDENT—Your Committee on Agriculture, having had the possible conflict existing between the provisions of chapter 1 of the acts of the Twenty-third General Assembly and the authority vested in the State Board of Agriculture, brought to their notice, beg leave to report that they have had the same under consideration and have instructed me to report to the Senate the accompanying Committee Bill with the recommendation that the same do pass.

B. R. VALE, *Chairman.*

Ordered passed on file.

COMMITTEE BILL.]

[SENATE FILE NO. 427—AGRICULTURE.

A BILL.

FOR AN ACT TO DEFINE THE RIGHTS IN CERTAIN CASES OF THE STATE AGRICULTURAL SOCIETY.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the provisions of chapter 1, acts of the Twenty-third General Assembly, shall not be construed as granting power to the city, so extending its territory or corporate limits, to enforce ordinances or resolutions which conflict or interfere with the rules and regulations of the management of the Iowa State Agricultural Society while occupying the grounds owned by the State, during the exhibitions or fairs of the said society.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House file No. 144, a bill for an act to amend section 2, of chapter 95, acts of the Twenty-second General Assembly, 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 bill do pass.

B. R. VALE, *Chairman.*

Ordered passed on file.

INTRODUCTION OF BILLS.

By Special Joint Committee on Battle Flags, Senate file No. 427, a bill for an act providing for the removal of the battle flags carried by Iowa regiments in the war for the suppression of the rebellion, from the arsenal to the new capitol and setting apart rooms therein for the Adjutant-general's office.

Read first and second times and referred to the Committee on Appropriations.

By Committee on Agriculture, Senate file No. 428, a bill for an act to define the rights in certain cases of the State Agricultural Society.

Read first and second times and passed on file. Special order for 2 P. M. to-day.

On motion of Senator Vale, Senate file No. 428, a bill for an act to define the right in certain cases of the State Agricultural Society, with report of committee recommending that it do pass, was taken up and considered.

On motion of Senator Vale, further consideration of this matter was postponed until the beginning of the afternoon session.

Senator Bayless, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred a concurrent resolution for a re-union of all the Iowa soldiers, to be held at Des Moines during 1890, beg leave to report 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, upon the grounds that the General Assembly has no jurisdiction in this matter.

F. D. BAYLESS, *Chairman*.

Ordered passed on file.

Senator Mills, from the Committee on Educational Institutions, submitted the following report:

MR. PRESIDENT—Your Committee on Educational Institutions, to whom was referred Senate file No. 276, a bill for an act to change the name of the Iowa Institution for the education of the deaf and dumb to the Iowa School for the deaf, beg leave to report 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 Hanchett, from Committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred, by Hon. Horace Boies, Governor of Iowa, the application of Honora Curtin for commutation of sentence or pardon, beg leave to report 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 Senate Committee advise the Governor to pardon the said Honora Curtin upon the conditions that she thereafter abstain from the use of intoxicating liquors.

L. S. HANCHETT, *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. 343, a bill for an act to legalize the incorporation of the town of Hartley, county of O'Brien and 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.

Senator Mattoon moved that the Senate take up for consideration the concurrent resolution, relative to the pardon of Honora Curtin.

Carried, and the resolution was taken up and considered and adopted.

Senator Caldwell moved that the Senate take up for consideration his resolution introduced yesterday, relative to the appointment of a "sifting committee."

Carried.

Senator Finn moved that Senate file No. 2, 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 not included in the resolution.

Senator Davidson moved to amend the amendment by also including Senate file No. 365, a bill for an act limiting the size of screens to be used in the screening of coal at the coal mines of the State and fixing the weights to be used, and Senate file No. 14, 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 operators of coal mines and their employes, and Senate file No. 9, a bill for an act to amend chapter 54, of the acts of the Twenty-second General Assembly, providing for weighing coal at mines.

Senator Kegler moved that further consideration of this matter be postponed until S. F. 25 be considered and disposed of.

Lost.

The question now recurring on the adoption of the amendment to the amendment offered by Senator Davidson.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bayless, Bills, Davidson, Dungan, Engle, Finn, Kegler, Mattoon, Mosnat, Parrott, Taylor, Vale—13.

The nays were:

Senators Bailey, Ballingall, Barrett, Bolter, Caldwell, Cleveland, Clyde, Gatch, Groneweg, Hanchett, Kent, Lawrence, Mack, McCoy, McVay, Meservey, Mills, Perkins, Price, Reiniger, Rich, Seeds, Smith of Linn, Smith of Wright, Stewart, Weidman, Woolson—27.

Absent or not voting:

Senators Brower, Cassatt, Dodge, Funk, Gobble, Harsh, Kelly, Schmidt, Shields, Wolfe—10.

So the amendment to the amendment was lost.

The question now being on the amendment offered by Senator Finn. Senator Kegler moved to lay the whole matter on the table.

Lost.

The question now recurring on the adoption of the amendment offered by Senator Finn, it was lost.

The question now being on the adoption of the original resolution.

Senator Woolson moved to amend by striking out all after the word "members" down to and including the word "bills" and insert the following in lieu thereof:

When so appointed all bills and other matters, other than appropriation bills be referred to said committee and that after this morning session (Friday), no bills or other matters except appropriation bills.

It was accepted and became a part of the original resolution.

Senator Dodge offered the following amendment:

Provided, further, that substitute for House files 14, 31 and 85, being the Australian ballot bill, be made a special order for Saturday, April 12th, at 7:30 P. M.

Senator McCoy moved to amend the amendment by striking out the words "substitute for House file 14, 31 and 85, being the Australian ballot bill" and inserting Senate file No. 2, being the uniform textbook bill, if not sooner disposed of.

Senator Groneweg moved the previous question.

Carried, and the previous question was seconded.

The main question was ordered put.

The question now being on the adoption of the amendment to the amendment offered by Senator McCoy.

The yeas were:

Senators Barrett, Brower, Caldwell, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Harsh, Lawrence, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Linn, Smith of Wright, Vale, Weidman, Woolson—26.

The nays were:

Senators Bailey, Ballingall, Barnett, Bayless, Bills, Bolter, Cassatt,

Cleveland, Dodge, Engle, Gobble, Groneweg, Hanchett, Kegler, Kelly, Mattoon, Mosnat, Rich, Schmidt, Stewart, Taylor, Wolfe—22.

Absent or not voting:

Senators Kent, Shields—2.

So the amendment was adopted.

Senator Barnett explained his vote as follows:

MR. PRESIDENT—I vote nay for the reason that Senate file No. 2 is a special order for to-day, and I do not want to defer school legislation. I favor both measures.

J. H. BARNETT, *Senator Eleventh District.*

Senator Harsh explained his vote as follows:

MR. PRESIDENT—I vote aye, not because I am opposed to Australian ballot system, but having to choose at this time between school book legislation and the Australian ballot, I select the school book bill. I am in favor of the Australian ballot bill with some slight amendments.

J. B. HARSH, *Senator Fifth District.*

Senator Reiniger explained his vote as follows:

I would vote to consider both of the bills referred to in this amendment, but as the limited time before adjournment will not permit this, and as I believe the consideration of the bill relating to school text-books is of more importance to the people than the bill relating to the Australian ballot system, in view of the fact that no claim is made that our present election laws do not secure an honest vote and a fair count, I vote aye on the question of adopting this amendment.

ROBT. G. REINIGER, *Senator Forty-fourth District.*

The question now being on the adoption of the amendment as amended, it was adopted.

The question now being on the adoption of the resolution as amended, it was adopted.

The hour having arrived for consideration of the special order, it being Senate file 414, Senator Dodge moved to postpone consideration until a resolution he desires to offer is disposed of.

Senator Caldwell moved to lay the motion on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Brower, Caldwell, Clyde, Dungan, Finn, Gatch, Harsh, Lawrence, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Linn, Smith of Wright, Vale, Weidman, Woolson—23.

The nays were:

Senators Ballingall, Barnett, Bayless, Bills, Bolter, Cassatt, Cleveland, Davidson, Dodge, Engle, Funk, Gobble, Groneweg, Hanchett, Kegler, Kelly, Mack, Mattoon, Mosnat, Rich, Schmidt, Shields, Stewart, Taylor, Wolfe—25.

Absent or not voting:

Senators Barrett, Kent—2.

So the motion was lost.

The question now recurring on the adoption of the motion of Senator Dodge to postpone consideration of the special order.

On this the yeas and nays were demanded.

The yeas were:.

Senators Ballingall, Barnett, Bayless, Cassatt, Cleveland, Dodge, Engle, Gobble, Groneweg, Kegler, Kelly, Mattoon, Mosnat, Rich, Seeds, Schmidt, Shields, Stewart, Taylor, Wolfe—20.

The nays were:

Senators Bailey, Bolter, Caldwell, Clyde, Dungan, Finn, Funk, Gatch, Hanchett, Harsh, Lawrence, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Smith of Linn, Smith of Wright, Vale, Weidman, Woolson—23.

Absent or not voting:

Senators Barrett, Bills, Brower, Davidson, Kent, Price, Reiniger, —7.

So the motion was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—The House has passed, and asks the concurrence of the honorable Senate in the following bills:

H. F. No. 33, a bill for an act to establish an industrial home for adult blind.

H. F. No. 514, a bill for an act to define the rights in certain cases of the State Agricultural Society.

H. F. No. 510, a bill for an act to provide for an appropriation for conducting the office of State Dairy Commissioner, and for paying the expenses thereof.

H. F. No. 425, a bill for an act making an appropriation to help discharged convicts to an honest life.

Also, the House has passed Senate file No. 412, a bill for an act to legalize the proceedings of the board of supervisors of Calhoun county, in locating and constructing ditches in said county, and in assessing the costs thereof on the lands benefited thereby.

Also, I herewith present, for your signature, the following bills which have passed both branches of this G. A., been duly enrolled and signed by the Speaker of the House:

H. F. Nos. 262, 268, 302, 304, 416.

J. A. SHELTON, 1st Assistant Clerk.

The Senate resumed consideration of the special order, it being Senate file No. 414, substitute for Senate file No. 218, a bill for an act to provide for and regulate the keeping and sale of intoxicating liquors for lawful purposes, and to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11,

12, 13, 14, 15, 16, 17, 18 and 19, of chapter 71, laws of the 22d General Assembly.

Senator Bayless offered the following substitute:

A BILL

FOR AN ACT AMENDATORY OF CHAPTER 71 OF THE ACTS OF THE TWENTY-SECOND GENERAL ASSEMBLY; TO REGULATE THE SALE OF INTOXICATING LIQUORS FOR NECESSARY PURPOSES, AND TO REPEAL SECTIONS 4, 5, 6, 7, 11, 12, 13, 14, 16, 17, AND 19 THEREOF, AND ENACT SUBSTITUTES THEREFOR.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That section 1, chapter 71, acts of the Twenty-second General Assembly be, and the same is hereby amended by striking out all after the words: "shall continue in force," in the twelfth line of said section, and inserting in lieu thereof the words: "until revoked for violation of law or upon relinquishment of rights thereunder."

SEC. 2. That section 2, of the aforesaid chapter 71, be, and the same is hereby amended by striking out the words: "or renewal thereof," in the first and second lines of said section, and inserting after the words: "name of the applicant" in the tenth line of said section, the words: "with the firm name under which he is doing business;" by striking out the words: "that the petition provided for in the next section will be on file in the clerk's office at least ten days before the first day of the term, naming it" in the twelfth, thirteenth and fourteenth lines of said section, and inserting in lieu thereof the words: "the date," and that the following words be added to said section. *Provided further*, where a pharmacist has procured a permit, and by reason of the expiration of his lease, or for any other good reason he desires to change his locality to another place in the same township, town or ward, the court shall grant to him on his petition, the right to continue business under his permit in the same township, town or ward, in which the permit is granted."

SEC. 3. That sections 4, 5, 6, and 7, of the aforesaid chapter 71 be, and the same are hereby repealed, and section 4 of this act, enacted in lieu thereof.

SEC. 4. At least ten days before the first day of the term of the district court, the applicant shall file his application with the clerk of the court.

On or before 9 o'clock A. M., of the first day of the term, five of the citizens of the township, town or ward, may file a remonstrance against granting the permit applied for, which must show the residence of the persons signing it, and the grounds of objection to granting the permit. If the application for the permit is granted, the clerk shall issue to him a permit authorizing him to keep and sell intoxicating liquors as in this act provided; and every permit so granted shall specify the building, giving the street and number or location in which intoxicating liquors may be sold by virtue of the same, and if the person to whom the permit is granted is a wholesale druggist he shall have the right to sell and ship intoxicating liquors to other registered pharmacists, of which fact the said shipper must have cognizance.

SEC. 5. That section eight of the aforesaid chapter 71, be, and the same is hereby amended by striking out the words "not as a matter of right but of confidence," in the second and third lines of said section, and by striking out the words "as to acquire notoriety and public repute," in the twentieth line of said section,

and by inserting the words "if such violations are thereafter repeated," after the word "pharmacy" and before the word "work" in the thirty-ninth line of said section; and by striking out all the words in the fortieth, forty-first and forty-second lines, including the word "registration" in the forty-third line of said section.

SEC. 6. This permit shall issue only on condition that the applicant shall execute to the State of Iowa a bond in the penal sum of one thousand dollars, with good and sufficient sureties, to be approved by the clerk of the court, conditioned that he will well and truly observe and obey the laws of Iowa, now or hereafter in force, in relation to the sale of intoxicating liquors, that he will pay all fines penalties, damages and costs that may be assessed or recovered against him for a violation of such laws during the term for which said permit is granted. Said bond shall be for the use and benefit of any person or persons who may be injured or damaged by reason of any violation of the law relating to intoxicating liquors purchased, sold or given away during the term for which said permit is granted. The said bond shall be deposited with the county auditor, and suit shall be brought thereon at any time by the county attorney, or any person for whose benefit the same is given, and in case the conditions thereof, or any of them, shall be violated, the principals and sureties therein shall be jointly and severally liable for all civil damages, costs and judgments that may be obtained against the principal in any civil action brought by a wife, child, parent, guardian, employer or other person, (under the provisions of section fifteen hundred and fifty-six, fifteen hundred and fifty-seven and fifteen hundred and fifty-eight of the Code of Iowa), as the same is amended and now in force, and section twelve, chapter sixty-six, acts of the Twenty-first General Assembly of the State of Iowa. All other money collected for breaches of such bond shall go to the school fund of the county. Said bond shall be approved by the clerk of the district court under the rules and laws applicable to the approval of official bonds. If at any time the sureties, or any of them, shall become insolvent, or be deemed insufficient, the clerk of the court shall require a new bond to be executed, and a failure of the person holding such permit to execute such new bond shall cause the permit to forfeit and become null and void.

SEC. 7. That section ten, eleven, twelve, thirteen and fourteen of the aforesaid chapter 71, be and the same are hereby repealed, and section eight of this act enacted in lieu thereof.

SEC. 8. The clerk of the court granting the permit shall preserve as a part of the record and files of his office all papers pertaining to the granting or revocation of permit and keep suitable books in which permits shall be recorded. The books shall be furnished by the county like other public records. Whether said permit be granted or refused the applicant shall pay the costs incurred in the case, and when granted, he shall make payment before any permit issue, except the court shall tax the cost of any witnesses summoned by private persons resisting said application and the fees for serving such subpoenas to such persons, when it is shown that such witnesses were summoned maliciously or without probable cause to believe their evidence material. A fee of one dollar for entering the order of court granting said application shall be paid, and witnesses shall be entitled to mileage and per diem, as in cases and fees for serving notices, and subpoenas shall be the same as in other cases in the district court.

SEC. 9. That section fifteen of the aforesaid chapter 71, be and the same is hereby amended by striking out all of the words commencing with the words,

"said permit-holders," in the sixth line of said section, to and including the words "cancel his certificate," in the thirty-fifth line of said section.

SEC. 10. That sections sixteen, seventeen and nineteen of the aforesaid chapter 71, be and the same are hereby repealed, and section eleven of this act enacted in lieu thereof.

SEC. 11. The registered pharmacists to whom a permit may be granted as contemplated in the preceding sections of this act shall keep a book provided by him for that purpose, to register all liquors sold or given away by him, which register shall show the dates, address, kind and quantity, for what purpose and to whom said liquors were sold or given, which book shall be at all times open to the inspection of the proper authorities. But all sales of intoxicating liquors shall be refused notwithstanding the statement made, unless the registered pharmacist acting under permit has reason to believe said statement to be true, and in no case unless said registered pharmacist personally knows the person applying, that he is not a minor, that he is not intoxicated, and that he is not in the habit of using intoxicating liquors as a beverage; or, if the applicant is not so personally known to the registered pharmacist before filling the said order or delivering the liquor he shall require identification, or the statement of a reliable and trustworthy person, of good character and habits, known personally to him, that the applicant is not a minor and is not in the habit of using intoxicating liquors as a beverage, and is worthy of credit as to the truthfulness of the statements; and the registered pharmacist may require that these statements shall be signed by the applicant or witness in his true name and hand-writing. On or before the fifteenth day of January, March, May, July, September and November of each year, each permit holder shall make a true and complete copy of the record of sales made by him or his clerks during the two preceding months and file the same with the county auditor duly verified, under oath before the county auditor or notary public, that the within and foregoing is a full and complete record of all liquors sold or dispensed under his permit during the said months.

If any one purchasing intoxicating liquors of a person authorized to sell the same shall make to such person a false statement regarding the use for which such liquor is intended by the purchaser to be applied, such person so obtaining such liquor shall be guilty of misdemeanor, and shall, upon conviction thereof forfeit and pay a fine of not less than ten (10) dollars or more than fifty (50) dollars, together with the cost of prosecution, or stand committed until the same is paid. For the second offense he shall be fined and imprisoned in the county jail for not longer than thirty (30) days, at the discretion of the court.

SEC. 12. All permits now existing shall remain in force until an opportunity is had for obtaining a permit under the provisions of this act.

SEC. 13. This act being of immediate importance shall take effect and be in full force from and after its publication in the *Iowa State Register* and *Des Moines Leader*, newspapers published at Des Moines, Iowa.

Senator Caldwell moved that Senate file No. 414, being the substitute for Senate file No. 218, recommended by the committee, be taken up and considered by sections.

Carried.

Senator Caldwell moved to insert after the word "purposes," where it occurs in the sixth line in section 2, the following: "and to sell to

registered pharmacists and manufacturers of proprietary medicines, for use in compounding medicines, and to permit holders for use and re-sale by them for the purposes authorized by this act.

Adopted.

Senator Engle moved to strike out the words "or dispense" in line two, section 2.

Pending consideration of which the President announced the following as the "sifting committee:"

Senators McCoy, Woolson, Finn, Vale, Funk, Meservey, Bolter, Wolfe, Bayless.

The Journals of Wednesday and Thursday last were corrected and approved.

REPORTS OF STANDING COMMITTEES.

Senator Smith of Linn, from the Committee on Cities and Towns, submitted the following reports:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 76, a bill for an act entitling persons paying special taxes assessed upon real estate for the improvement of streets in cities existing under special charters to be credited with the amount of such special taxes so paid upon any general road or street tax charged against them on account of same 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 it do pass.

J. H. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred House file No. 271, a bill for an act to amend chapter thirty-two (32), of the acts of the 22d General Assembly, relating to viaducts 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 it do pass.

J. H. SMITH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Cities and Towns, to whom was referred substitute for House file Nos. 216 and 224, a bill for an act to extend to cities of the second class having more than 3,000 population the provisions of chapter 162, acts of the 17th 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.

J. H. SMITH, *Chairman*.

Ordered passed on file.

Senator Hanchett, from the Committee on Penitentiaries and Pardons, submitted the following reports:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred Senate file No. 400, a bill for an act to amend section 3, chapter 4, acts of the Sixteenth General Assembly, relating to the appointment of religious advisors and teachers of the Anamosa 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 it do pass.

L. S. HANCHETT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Penitentiaries and Pardons, to whom was referred House file No. 341, 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 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.

Senator Seeds, 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 House file No. 157, a bill for an act to provide for the election of clerks of the 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 do pass.

ED. P. SEEDS, *Chairman*.

Ordered passed on file.

Senator McVay, from the Committee on Charitable Institutions, submitted the following reports:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate file No. 378, a bill for an act to amend chapter 176 of the laws of the Seventeenth General Assembly of the State 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.

J. D. McVAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Charitable Institutions, to whom was referred Senate file No. 379, a bill for an act to amend section 2308 of the Code of 1873, and to provide for the adoption of children, 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. D. McVAY, *Chairman*.

Ordered passed on file.

Senator Meservey, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 338, a bill for an act to require railroad companies to give leases for grain elevators, 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 indefinitely postponed, for the reason that the committee have reported a substitute therefor.

A. F. MESERVEY, *Chairman*.

Ordered passed on file.

Senator Lawrence, from the Committee on Elections, submitted the following reports:

MR. PRESIDENT—Your Committee on Elections, to whom was referred House file No. 362, a bill for an act to provide for printing and distributing ballots at public expense and to regulate voting at State and other 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 referred to the Sifting Committee.

J. S. LAWRENCE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Elections to whom was referred — files Nos. 380 and 342, a bill for an act, etc., beg leave to report that the bill be referred to the Sifting Committee.

J. S. LAWRENCE, *Chairman*.

Ordered passed on file.

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. 9, a resolution proposing an amendment to the constitution so as to prohibit the manufacture, sale and keeping for sale of intoxicating liquors as a beverage, 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 same be amended by striking out all after the fourth line of the printed resolution, down to and including the ninth line, and that the following be substituted in lieu thereof: Section 26. The manufacture, sale and keeping for sale of all intoxicating liquors whatever, is prohibited, except for medicinal, chemical, mechanical and sacramental purposes. The General Assembly shall, by appropriate legislation, provide for the enforcement of this section, and when so amended that the resolution do pass.

ROBT. G. REINIGER, *Chairman*.

Ordered passed on file.

The Senate adjourned.

AFTERNOON SESSION.

The Senate reconvened at 2 o'clock P. M.
Lieut.-Gov. Poyneer in the chair.

REPORT OF SIFTING COMMITTEE.

MR. PRESIDENT—Your Committee on Sifting Bills beg leave to report that they have had the matter under consideration and have instructed me to make this partial report: That the following schedule of bills be considered in the order named, and that further reports will be made.

H. F. No. 514.

Substitute for S. F. No. 218.

S. F. No. 2, and the bills reported therewith and the accompanying reports.

H. F. No. 166.

BEN MCCOY, *Chairman*.

HOUSE MESSAGES.

The Senate took up for consideration House file No. 514, a bill for an act to define the rights in certain cases of the State Agricultural Society.

Senator Gatch moved to amend as follows: Insert after the word "society" the following: "As authorized by the laws in force previously to the enactment of said chapter one."

Senator Woolson offered the following substitute: "Not inconsistent with the laws of this state."

Senator Wolfe moved to refer this bill and amendments to a special committee of three with instructions to report back to-morrow morning.

Carried.

The President announced as the committee, Senators Gatch, Woolson and Wolfe.

The Senate took up for consideration Senate file No. 414, substitute for Senate file No. 218, a bill for an act to provide for and regulate the keeping and sale of intoxicating liquors for lawful purposes and to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of chapter 71, laws of the Twenty-second General Assembly.

The question being on the adoption of the amendment offered by Senator Engle to section 2.

Senator Bayless offered the following substitute:

Add to the end of section 2 the following: "Provided further, that this section shall not be construed to prevent licensed physicians from dispensing such liquors as medicine to patients actually under their treatment at the time of such dispensing."

Senator Engle accepted it and it became a part of the original amendment.

Senator Reiniger offered the following amendment to the substitute:

Amend by adding after the word "actually" in the third line, the words "sick and."

Adopted.

Senator Woolson moved to further amend the amendment by inserting after the word "dispensing" the words "in good faith."

Adopted.

The question now being on the adoption of the original amendment as amended.

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Cassatt, Cleveland, Dodge, Engle, Funk, Gatch, Gobble, Groneweg, Kegler, Kent, Lawrence, McCoy, McVay, Meservey, Mosnat, Perkins, Rich, Smith of Linn, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—31.

The nays were:

Senators Bailey, Caldwell, Clyde, Davidson, Dungan, Harsh, Mack, Mills, Parrott, Price, Reiniger, Seeds, Smith of Wright—13.

Absent or not voting:

Senators Finn, Hanchett, Kelly, Mattoon, Schmidt, Shields—6.

So the amendment was adopted.

Senator Caldwell moved to strike out after the word "beverage," in the 13th line of section 4, printed bill, all up to and including the word "liquors" in the 15th line.

Senator Davidson moved to amend the amendment by striking out the words, "or indirectly," only in the 14th line.

On this the yeas and nays were demanded.

The yeas were:

Senators Bolter, Clyde, Davidson, Harsh, Mack, Mattoon, Mills, Price, Woolson—9.

The nays were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Cassatt, Dodge, Dungan, Engle, Funk, Gatch, Gobble, Hanchett, Kegler, Lawrence, McCoy, McVay, Meservey,

Mosnat, Parrott, Reiniger, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe—33.

Absent or not voting:

Senators Cleveland, Finn, Groneweg, Kelly, Kent, Perkins, Rich Schmidt—8.

So the amendment to the amendment was lost.

Senator Woolson offered the following substitute for the amendment offered by Senator Caldwell: Strike out all after the word "beverage" in the 13th line, section 4, printed bill, to the end of the paragraph, and insert the following:

And that he desires a permit to purchase, keep and sell such liquors for lawful purposes only. And every applicant who has at any time taken out a permit under this act, which said permit has been revoked, shall, if he again apply for a permit, with such application, the further statement under oath that he has not within the last two years next preceding his application, been knowingly engaged, employed or interested in the unlawful manufacture, sale or keeping for sale of intoxicating liquors.

Adopted, and the amendment was then adopted.

Senator Woolson moved to insert after the word "Iowa" in the 18th line, section 5, printed bill, the words, "the clear proceeds of."

Adopted.

Senator Clyde moved to strike out from section 5, beginning with the word "if" in line 20, all to and including the word "void" in line 23, and substitute the following in lieu thereof:

If at any time the sureties, or any of them, on said bond shall become insolvent or be deemed insufficient by the clerk of the district court, said clerk shall require a new bond to be executed within a time to be fixed by him, and a failure of the person holding such permit to execute such new and sufficient bond within the time fixed by said clerk therefor, shall cause said permit to become null and void.

Adopted.

Senator Smith of Linn moved to amend section 5 by striking out, all after the word "granted" in the 7th line to and including the word "granted" in the 9th line of the printed bill.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Bayless, Bills, Bolter, Brower, Cleveland, Dodge, Engle, Funk, Gobble, Groneweg, Kegler, Kent, Mattoon, Mosnat, Rich, Schmidt, Shields, Smith of Linn, Stewart, Taylor—22.

The nays were:

Senators Caldwell, Clyde, Davidson, Dungan, Finn, Harsh, Mack, McCoy, McVay, Meservey, Mills, Perkins, Price, Reiniger, Seeds Vale, Weidman, Woolson—18.

Absent or not voting:

Senators Barnett, Barrett, Cassatt, Gatch, Hanchett, Kelly, Lawrence, Parrott, Smith of Wright, Wolfe—10.

So the amendment was adopted.

Senator Smith of Linn moved to amend section 5 by striking out all of line 27 to and including line 37 in the printed bill.

Lost.

Senator Woolson moved to strike out the word "month" in the 35th line, section 5, printed bill, and insert the word "months."

Adopted.

Senator Smith of Linn moved to amend section 5 by striking out the word "damages" in the fifth line, printed bill.

Lost.

Senator Woolson moved to insert after the word "term" in line 12, section 6, printed bill, the words "or by such later time as may be fixed by the court and before the date fixed for hearing."

Adopted.

Senator Smith of Linn moved to strike out the word "shall," in line 18, section 7, printed bill, and insert the word "may."

Lost.

Senator Kegler moved to strike out the first word "a," in line 3, section 8, printed bill, and insert the word "no."

Lost.

Senator Caldwell moved to strike out the words "peace officer," in line 16, section 11, printed bill, and insert the words "justice of the peace."

Adopted.

Senator Reiniger moved to insert the word "sheriff," after the word "juror," in line 16, section 11, printed bill.

Adopted.

Senator Clyde moved to amend section 13, as follows: Add after the word "section," in line 18, printed bill, the words, "or, if he fail or refuse to make report to the county auditor, as in this section provided."

Adopted.

Senator Woolson moved to insert the words "or information," in line 26, section 12, after the word "indictment."

Adopted.

Senator Reiniger moved to strike out all after the word "sold," in the 18th line, section 11, up to and including the word "extracts."

Adopted.

Senator Caldwell moved to strike out the word "month," in 20th line, section 11, and insert the words "two months."

Adopted.

Senator Bailey moved to insert after the word "sold" in line 18, section 11, the words "also the."

Adopted.

Senator Woolson moved to strike out the word "1st" in line 6, section 13, printed bill, and insert the word "15th."

Adopted.

Senator Woolson moved to strike out the words "any district court" in line 19, section 13, printed bill, and insert the words "any court of competent jurisdiction."

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Caldwell, Clyde, Davidson, Dungan, Finn, Harsh, McCoy, Mills, Price, Reiniger, Seeds, Smith of Wright, Vale, Weidman, Woolson—16.

The nays were:

Senators Bayless, Bills, Funk, Gobble, Groneweg, Harsh, Kent, Lawrence, Mattoon, McVay, Meservey, Mosnat, Parrott, Perkins, Rich, Schmidt, Smith of Linn, Stewart, Taylor, Wolfe—20.

Absent or not voting:

Senators Ballingall, Barnett, Barrett, Bolter, Brower, Cassatt, Cleveland, Dodge, Gatch, Hanchett, Kegler, Kelly, Mack, Shields—14.

So the amendment was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—The House has passed and asks the concurrence of the honorable Senate in the following bills:

House file No. 512, a bill for an act to re-enact section 1292 of the Code, to require railroads operating in this State intersecting crossing railroads of the same gauge to connect by means of a "Y" or otherwise, and to draw cars of connecting or other railways at reasonable terms and at ordinary rates.

House file No. 508, a bill for an act to amend section 1, chapter 24, acts of the Twentieth General Assembly.

House file No. 503, a bill for an act to repeal section 1268 of the Code of 1873, and to enact a substitute therefor, relating to private crossings.

Substitute for H. F. No. 452, a bill for an act requiring persons or corporations owning or operating railways of the same gauge, passing through or terminating in the same city or incorporated town, to connect said railways by switches and railway tracks or other suitable means.

H. F. No. 501, a bill for an act to amend section 22, of chapter 28, of the acts of the Twenty-second General Assembly, relating to reports to be made to the Board of Railroad Commissioners.

H. F. No. 432, a bill for an act to amend chapter 31, of the laws of the Twenty-second General Assembly, relating to change of name of railroad stations.

H. F. No. 502, a bill for an act to amend section 1288, of the Code of 1873, relating to highway crossings.

Substitute for H. F. No. 274, a bill for an act to protect employes and laborers in their claims for wages.

J. A. SHELTON, 1st Assistant Clerk.

Senator Davidson, 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. 268, an act to legalize the incorporation of the town of Gilmore City, in Humboldt and Pocahontas counties, Iowa, and a subsequent annexation thereto, and the ordinances and the official acts of the town council thereof.

Also, House file No. 302, an act to legalize the organization of the Des Moines conference of the Evangelical Association of Iowa.

Also, House file No. 416, an act to legalize the extension of Benz street, in the incorporated town of Lawler, in Chickasaw county, Iowa.

Also, House file No. 304, an act to legalize the acts of L. L. Langworthy, justice of the peace in and for Massena township, Cass county, Iowa.

Also, House file No. 263, an act to legalize the revised ordinances of the city of Independence, in Buchanan county, Iowa.

Also, Senate file No. 212, an act to permit the board of supervisors of Marshall county, Iowa, to refund money, with interest, to the widow and heirs of Harry Scofield, of Marshall county, Iowa.

Also, Senate file No. 113, an act to amend chapter 16, laws of the 22d General Assembly, entitled, "an act granting additional powers 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."

Also, Senate file No. 153, an act to legalize certain ordinances of the incorporated town of Mitchellville, in the county of Polk and State of Iowa.

Also, Senate file No. 404, an act to relieve Anderson M. Bengé and others, to whom loans of the school book fund were made in Madison county, Iowa.

Also:

House file 386, an act to legalize the incorporation of the Cerro Gordo County Agricultural Society, and the acts and proceedings thereof, and to provide for and authorize the recording of a copy of the articles of incorporation of said society in the office of the county recorder of Cerro Gordo county, and the filing of said copy in the office of the Secretary of State.

D. B. DAVIDSON, *Chairman*.

The Senate adjourned.

EVENING SESSION.

The Senate reconvened at 7:30 P. M.

President pro tem. Meservey in the chair.

The Senate resumed consideration of Senate file No. 414, substitute for Senate file No. 218, a bill for an act to provide for and regulate the keeping and sale of intoxicating liquors for lawful purposes, and to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of chapter 71, laws of the Twenty-second General Assembly.

Senator Smith of Linn offered the following amendment to section 13: Strike out all after the word "devoted" in the 9th line, to and including the word "purchasers" in line 16, and insert the following:

The Commissioners of Pharmacy are hereby empowered to make such further rules and regulations with respect to the purchase, use and keeping of such liquors as they may deem proper for the prevention of abuses of the trusts reposed in such purchasers.

Adopted.

Senator Caldwell offered the following amendment.

SECTION 14. Every permit holder is hereby authorized to ship to registered pharmacists and manufacturers of proprietary medicines, intoxicating liquors to be used by them, for the purposes authorized by this act, and all railway transportation and express companies and other common carriers are authorized to receive and transport the same, upon presentation of a certificate from the clerk of the district court of the county where the permit holder resides, that such person is permitted to ship intoxicating liquors under the provisions of this act.

Adopted.

Senator Caldwell moved to renumber the sections from and including 14, to and including 19, as follows: 15, 16, 17, 18, 19 and 20.

Adopted.

Senator Woolson moved to insert after the word "pharmacy" in line 3, section 17, printed bill, the words "the clear proceeds of."

Adopted.

Senator Woolson moved to insert in the 8th line, section 17, printed bill, after the word "court" the words "or clerk thereof."

Adopted.

Senator Woolson moved to insert the word "is" after the word "prosecution" in line 9, section 17, printed bill.

Adopted.

Senator Harsh moved to amend the bill by inserting the following as section 20, and re-numbering the sections to correspond thereto:

"The Superior Courts of this State, and the Judges and Clerks thereof, shall have and exercise the same powers and duties as are in this act specified for District Courts, their Judges and Clerks, as to granting and revoking permits."

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Barrett, Bayless, Bills, Bolter, Cassatt, Cleveland, Dodge, Engle, Funk, Gobble, Groneweg, Hanchett, Harsh, Kegler, Lawrence, Mattoon, McCoy, McVay, Meservey, Mosnat, Perkins, Schmidt, Seeds, Smith of Linn, Stewart, Taylor—28.

The nays were:

Senators Brower, Caldwell, Clyde, Dungan, Finn, Mills, Parrott, Price, Reiniger, Smith of Wright, Vale, Weidman, Woolson—13.

Absent or not voting:

Senators Barnett, Davidson, Gatch, Kelly, Kent, Mack, Rich, Shields, Wolfe—9.

So the amendment was adopted.

Senator Bills moved to strike out the first line of section 15 and insert the words "the clerks of the permit holders may."

Lost.

Senator Woolson moved to strike out in line 2 section 16 the words "under which his permit was given."

Adopted.

Senator Finn moved to amend section 2 by adding thereto "when the patient is by reason of such illness unable to leave his or her house to procure such intoxicating liquors."

On this the yeas and nays were demanded.

The yeas were:

Senators Caldwell, Clyde, Finn, Kegler, Mattoon, Mills, Parrott, Perkins, Price, Seeds, Weidman, Woolson—12.

The nays were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Cassatt, Cleveland, Davidson, Dungan, Engle, Funk, Gobble, Groneweg, Hanchett, Harsh, Kent, Lawrence, McCoy, McVay, Meservey, Mosnat, Rich, Schmidt, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Wolfe—33.

Absent or not voting:

Senators Dodge, Gatch, Kelly, Mack, Reiniger—5.

So the amendment was lost.

Senator Reiniger moved to amend section 18 by inserting after the word "clerk," in the 7th line, the words "or any registered pharmacist or his clerk or any manufacturer of proprietary medicines."

Lost.

The question now being on the adoption of the substitute for the whole bill offered by Senator Bayless.

Senator Bayless moved to amend the substitute by adding at the end of last line of section 2:

Provided further, that this section shall not be construed to prevent any licensed physician from dispensing in good faith such liquors as medicine to patients actually sick under his treatment at the time of such dispensing.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Barrett, Bayless, Bills, Bolter, Brower, Cassatt, Cleveland, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Hanchett, Kegler, Kent, Lawrence, McCoy, McVay, Meservey, Mosnat, Rich, Schmidt, Shields, Smith of Linn, Stewart, Taylor, Vale, Weidman, Wolfe—32.

The nays were:

Senators Caldwell, Clyde, Finn, Harsh, Mack, Mills, Parrott, Perkins, Price, Smith of Wright—10.

Absent or not voting:

Senators Barnett, Davidson, Dodge, Kelly, Mattoon, Reiniger, Seeds, Woolson—8.

So the amendment was adopted.

Senator Smith of Linn moved to strike out the word "shall" in the tenth line, section 2, printed bill, and insert the word "may."

Adopted.

Senator McCoy, from Sifting Committee, submitted the following report:

MR. PRESIDENT—Your Special Committee on Sifting Bills, to whom was referred the bills and other matters now before the Senate, beg leave to submit the following additional report: That at ten o'clock of this evening and to-morrow evening, April 11th and 12th, the order of business then pending be suspended for half an hour, and that this time be devoted to the consideration of the following bills, in the order in which they are arranged, the same, (excepting House file No. 265), being the legalizing acts pending before the Senate, and also that any further legalizing acts which may be pending at ten o'clock, be considered with those below set forth:

House file No. 265, calendar 318.

House file No. 39.

House file No. 348.

House file No. 434.

House file No. 505.

House file No. 506.

Senate file No. 408.

That the following bills be considered in the order in which they are arranged, immediately after disposing of Senate files No. 218 and No. 2, and House file No. 166, previously reported to the Senate:

Senate file No. 296, Calendar No. 195.

Senate file No. 342, Calendar No. 157.

Senate file No. 216.

And your committee will make further report concerning the remaining bills, and other matters submitted to them.

BEN. MCCOY, *Chairman*.

Senator Woolson, from the Committee on Judiciary, submitted the following report :

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred H. file No. 506, a bill for an act to legalize the action of the city council of the city of Keokuk, granting to John C. Hubinger, and to his successors and assigns, the privilege to such in the streets and alleys of said city the necessary poles, wires and conduits to properly maintain and operate an electric system for furnishing electric light and power to the inhabitants of the city of Keokuk, beg leave to report 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 inserting at the beginning thereof the words, "a bill for," also amend the title by striking from the third line the word "such," and insert the word "set," in lieu thereof, 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. 434, a bill for an act to legalize the incorporation of the town of Guthrie Center, Guthrie county, Iowa, the election of the officers and all of the acts and ordinances of said town, 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.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 505, a bill for an act to legalize the granting of a franchise for electric light by the city of What Cheer, 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 striking from the eighth line of section 1 all after the word "therefor" and inserting in lieu thereof the following: "And a majority of the voters at said election had voted in favor of granting said franchise." 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. 408, a bill for an act to legalize the incorporation of the town of Sioux Rapids, and its ordinances, and the acts of its officers t hereunder, beg leave to report they have had the same under consideration and have instructed me to report to the Senate the accompanying substitute, with the recommendation that the substitute do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 348, a bill for an act to legalize conveyances of real property by executors or trustees under 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.

JOHN S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House file No. 39, a bill for an act to legalize the acts of the clerk of the district and circuit courts of Plymouth county in entering judgment on confession in said 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 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. 430, a bill for an act to repeal section one (1), of chapter thirty-nine (39), laws of the Fifteenth General Assembly, as amended by chapter sixty-eight (68), laws of the 17th General Assembly, 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 the bill be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—The House has passed and asks the concurrence of the Honorable Senate in the following bills:

H. F. No. 400, a bill for an act to appropriate money to the dependent parents of G. H. Keisting, mortally wounded in assisting the arrest of Barber Brothers.

H. F. No. 489, a bill for an act to require boards of county supervisors to ascertain the amount of school fund belonging to the county, remaining unloaned,

on the first day of each regular session, and to have a statement thereof published with the proceedings of said board.

H. F. No. 308, a bill for an act to amend section 1, chapter 92, acts of the Nineteenth General Assembly, in relation to appropriations for Girls' Department, Iowa State Industrial School.

Also, the House has passed the following Senate bills:

S. F. No. 60, a bill for an act to repeal chapter 69, laws of the Sixteenth General Assembly, and to enact a substitute therefor, relating to vagrants.

S. F. No. 844, a bill for an act to accept and legalize the grant to the State of Iowa, made by the city of Iowa City, of certain rights and privileges in a public park and street in said city, as indicated by an ordinance of said city, passed March 7, 1890.

S. F. No. 163, a bill for an act to repeal section 9, of chapter 41, acts of the Nineteenth General Assembly, and to enact a substitute therefor.

J. A. SHELTON, *First Assistant Clerk*.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—The House has passed and asks the concurrence of the Honorable Senate in the following bills and concurrent resolution:

H. F. No. 513, a bill for an act to legalize the official acts of the town council, ordinances and records, of the incorporated town of Churdan, Greene county, Iowa.

H. F. No. 18, a bill for an act to compel owners of hedges along public highways to keep them within certain bounds.

H. F. No. 66, a bill for an act to protect stock-breeders within the State of Iowa.

Substitute for H. F. No. 200, a bill for an act authorizing and empowering the boards of directors of school districts to purchase text-books, and allowing the electors of districts and counties to decide the question of uniformity, and to provide means and authority for purchase of school-books and supplies.

Also, concurrent resolution relative to pensions.

J. A. SHELTON, *1st Ass't Clerk*.

The hour having arrived for the consideration of bills recommended by the sifting committee, they were taken up. H. F. No. 265, a bill for an act to permit the Independence & Rush Park Railway Company to pass over the grounds of the State, used for the Hospital for the Insane at Independence, Iowa, with report of Committee on Judiciary recommending amendments and that it do pass, it was taken up, considered, and the amendments recommended by the committee 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter,

Brower, Caldwell, Cleveland, Davidson, Dungan, Engle, Finn, Funk, Gobble, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Reiniger, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman—38.

The nays were—none.

Absent or not voting:

Senators Cassatt, Clyde, Dodge, Gatch, Hanchett, Mosnat, Perkins, Price, Rich, Schmidt, Wolfe, Woolson—12.

So the bill passed and the title was agreed to.

House file No. 39, a bill for an act to legalize the acts of the clerks of the district and circuit courts of Plymouth county, in entering judgments on confession in said courts, 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Davidson, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Price, Reiniger, Seeds, Shields, Smith of Linn, Stewart, Taylor, Vale and Wolfe—38.

The nays were—none.

Absent or not voting:

Senators Cassatt, Clyde, Dodge, Engle, Hanchett, Mosnat, Perkins, Rich, Schmidt, Smith of Wright, Weidman, Woolson—12.

So the bill passed and the title was agreed to.

House file No. 348, a bill for an act to legalize conveyances of real property by executors or trustees under foreign wills, 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 Bailey, Ballingall, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Davidson, Dungan, Funk, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Price, Seeds, Shields, Smith of Linn, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—37.

The nays were—none.

Absent or not voting:

Senators Barnett, Cassatt, Clyde, Dodge, Engle, Finn, Hanchett, Kent, Perkins, Reiniger, Rich, Schmidt, Smith of Wright—13.

So the bill passed and title was agreed to.

Senator Brower from the Committee on Banks submitted the following report:

MR. PRESIDENT—Your Committee on Banks to whom was referred House file No. 457, a bill for an act to amend chapter 9, section 1571 of the Code of 1872, in regard to publication of bank statements, beg leave to report 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.

House file No. 434, a bill for an act to legalize the incorporation of the town of Guthrie Centre, Guthrie county, Iowa, the election of the officers and all of the acts and ordinances of said town with report of the committee recommending that it do pass was taken up and considered.

Senator Caldwell 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 Bailey, Ballingall, Barrett, Bayless, Bills, Brower, Caldwell, Davidson, Dungan, Funk, Gatch, Groneweg, Kent, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Price, Reiniger, Seeds, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—29.

The nays were—none.

Absent or not voting:

Senators Barnett, Bolter, Cassatt, Cleveland, Clyde, Dodge, Engle, Finn, Gobble, Hanchett, Harsh, Kegler, Kelly, Lawrence, Parrott, Perkins, Rich, Schmidt, Shields, Smith of Linn, Smith of Wright—21.

So the bill passed and title was agreed to.

The Senate adjourned.

of capital stock of bank associations organized under the general incorporation laws of this State.

Senate file No. 133, an act to establish and maintain a fire department in cities of the second class.

Senate file No. 175, an act to amend chapter thirty (30) of the laws of the Twenty-second General Assembly, and to remit certain penalties incurred thereunder.

Senate file No. 186, an act for the relief of F. Harbach.

Senate file 188, an act concerning the printing of the biennial report of the Bureau of Labor Statistics.

Senate file No. 210, an act to legalize the acts of the council of the incorporated town of Arcadia, in Carroll county, Iowa.

Senate file No. 211, a bill for an act to equalize the levy of certain taxes for certain years in Carroll county, Iowa.

Senate file No. 277, an act authorizing in certain cities a special tax for the grading of streets.

Senate file No. 387, an act to defray the expenses of several committees appointed to visit the various State Institutions.

Senate file No. 393, an act legalizing the electric light plant in the town of Bloomfield, Iowa, and the ordinances authorizing its establishment and contracting for the electric light for the streets of said town.

Senate file No. 394, an act legalizing the electric light plant in the town of Montezuma, Iowa, and the ordinances authorizing its establishment and the contracting for electric light for the streets of said town.

Senate file No. 411, an act to legalize the incorporation of the town of Grand Mound, Clinton county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town.

FRED'K W. HOSSFELD,

Private Secretary.

And also presented two sealed communications.

Senator Wolfe, from the Special Committee, to whom House file No. 514, was referred, submitted the following report:

MR. PRESIDENT—Your Special Committee, to whom was referred House file No. 514, a bill for an act to define the right in certain cases of the State Agricultural 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 amendment herewith submitted be substituted for section one of the bill, and that as amended it do pass. Amend by striking out section one and inserting the following in lieu thereof:

SECTION 1. The provisions of chapter one, laws of the Twenty-third General Assembly, shall not be construed as authorizing or empowering the city so extending thereunder its territory or corporate limits to enforce upon the grounds owned by the State and occupied by the Iowa State Agricultural Society, ordinances or resolutions that will impair or conflict with the right and power of said society, to exercise within and over said grounds, and during the exhibition and fairs of said society the same management and control that said society was authorized to exercise previous to the enactment of said chapter one.

P. B. WOLFE,

A member of said committee.

The bill was taken up, considered and the amendments recommended by the committee were adopted.

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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Schmidt, Smith of Linn, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—44.

The nays were—none.

Absent or not voting:

Senators Finn, Lawrence, Rich, Seeds, Shields, Smith of Wright—6.

So the bill passed and the title was agreed to.

On motion of Senator Gatch Senate file No. 429, a bill for an act authorizing boards of supervisors in certain cases to change the boundaries of townships without reference to lines of school districts was read first and second times and considered.

Senator Gatch moved that the rules be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Dodge, Dungan, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Mack, Mattoon, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—41.

The nays were—none.

Absent or not voting:

Senators Clyde, Davidson, Engle, Finn, Lawrence, McCoy, Mosnat, Seeds, Shields—9.

So the bill passed and title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—The House has passed and asks the concurrence of the honorable Senate in the following bills:

H. F. No. 407, a bill for an act to prevent discrimination in life insurance.

H. F. No. 78, a bill for an act to amend section 2272 of the Code of 1873, and to provide for appointing guardians of the persons of habitual drunkards and for the custody, restraint and confinement of habitual drunkards and their reformation, under orders of the district court, or the judge thereof, and for terminating such guardianship.

H. F. 465, a bill for an act to so amend sections 1718 and 1817 of the Code as to require proper notice to be given of the special purpose of any tax proposed to be voted at the annual meeting of Independent and Township Districts.

H. F. 481, a bill for an act to extend Bond No. 2 to the permanent School Fund.

H. F. No. 467, a bill for an act to amend chapter 97 of the 18th G. A. entitled an act to legalize the organization of the independent school district of Red Rock, Red Rock township, Marion county, Iowa, and to establish the boundaries thereof.

H. F. No. 449, a bill for an act to amend section 3 of chapter 25 of the laws of the 14th G. A. entitled an act for the encouragement of horticulture and forestry.

J. A. SHELTON, *First Assistant Clerk.*

INTRODUCTION OF BILLS.

By Senator Mack, Senate file No. 430, 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 Sifting Committee.

REPORTS OF STANDING COMMITTEES.

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. 407, a bill for an act to amend section 5, of chapter 75, of the acts of the 18th 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 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. 370, a bill for 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.

T. J. CALDWELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Health, to whom was referred Senate file No. 272, a bill for an act to amend, revise and consolidate the various acts relating to the practice of pharmacy and the sale of drugs, medicines, chemicals and poisons, and relating to the appointment and duties of the commissioners of

pharmacy, 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.

T. J. CALDWELL, *Chairman*.

Ordered passed on file.

Senator Davidson, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate file 412, a bill for an act to legalize the proceedings of the board of supervisors of Calhoun county, in locating and constructing ditches in said county, and in assessing the costs thereof on the lands benefitted thereby.

Also, Senate file 163, a bill for an act to amend section 9 of chapter 40, acts of the 19th General Assembly, in relation to the institution for feeble-minded children at Glenwood.

Also, Senate file 344, a bill for an act to accept and legalize the grant to the State of Iowa, made by the city of Iowa City, of certain rights and privileges in a public park and street in said city, as indicated by an ordinance of said city passed March 7, 1890.

Also, Senate file 374, a bill for an act to relieve Mrs. A. Neet, of Reinbeck, Iowa; and find the same correctly enrolled.

D. B. DAVIDSON, *Chairman*.

Senator Mack, 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. 398, 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 have instructed me to report the same back to the Senate with the recommendation that the same be referred to the Sifting Committee.

EDGAR E. MACK, *Chairman*.

Ordered passed on file.

The Senate resumed consideration of Senate file No. 414, substitute for Senate file No. 218, a bill for an act to provide for and regulate the keeping and sale of intoxicating liquors for lawful purposes, and to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19, of chapter 71, laws of the Twenty-second General Assembly.

The question being on the adoption of the substitute offered by Senator Bayless.

Senator Barrett moved to add at the end of section 4:

Provided further, That in case of death or other disability of any registered pharmacist, the administrator or guardian or legal representative of such pharmacist may continue such business through the agency of any reputable registered pharmacist, conditioned upon there being first obtained the approval of the district court

or clerk thereof; *provided further*, that before entering such duties, such party or persons shall file with the clerk of said court a bond as herein provided, to be approved by the clerk of said court.

Adopted.

Senator Smith of Linn moved to amend section 4 by striking out all of the 3d line to the word "of," and inserting: "on or before noon of the first day of the term five or more of the freehold citizens."

Adopted.

Senator Gobble moved to reconsider the vote by which the amendment was adopted.

Carried.

Senator Smith of Linn moved to strike out the word "freehold" from the amendment.

Adopted.

Senator Smith of Linn moved to add to section 4 the following:

Provided, That all the authority hereby conferred by this act upon the Judge of the district court and the clerk of the district court is hereby conferred upon the judge of the superior court and the clerk of such superior court.

Adopted.

Senator Dungan moved to amend section 6 as follows:

I, —, do solemnly swear (or affirm) that I will well and truly perform all, and singular, the conditions of the within bonds, and keep and perform the trust confided in me to purchase, keep and sell intoxicating liquors. I will not sell, give or furnish to any person any intoxicating liquors, otherwise than as provided by law, and especially, I will not sell or furnish any intoxicating liquors to any person who is not known to me personally, or duly identified; nor to any minor, intoxicated person or persons who are in the habit of becoming intoxicated, and I will make *true, full and accurate* returns of all sales of intoxicating liquors made under my permit, and such returns shall show all the intoxicating liquors sold or delivered to any and every person as returned.

Adopted.

Senator Bayless offered the following amendment:

SECTION 13. Nothing in this act shall be construed to abate any action or proceeding, now pending in any court in this State, for a violation of the provisions of the sections hereby repeated, or to operate, to base any prosecutions hereafter brought for any such violations committed prior to the passage or the taking effect of this act.

Adopted.

Senator McCoy moved to amend the committee substitute, Senate file No. 414, as follows:

Add at end of Section 4, provided further that in case of death or other disability of any registered pharmacists, the administrators or guardian or legal represent-

atives of such pharmacists may continue such business, subject to the provisions of this act, through the agency of any reputable registered pharmacist; conditioned upon there being first obtained the approval of the district court or clerk thereof. Provided further, that before entering upon such duties, such party or person shall file with the clerk of said court a bond as herein provided to be approved by the clerk of said court.

Adopted.

Senator Wolfe offered the following amendment to the substitute offered by Senator Bayless:

SECTION 14. Every permit holder or his clerk, under this act shall be subject to all the penalties, forfeitures and judgments, and may be prosecuted by all the proceedings and actions, criminal and civil, and whether at law or at equity, provided for or authorized by the laws now or hereafter in force, for any violation of this act and the act for suppression of intemperance and any law regulating the sale of intoxicating liquors and by any or all of such proceedings applicable to complaints against such permitholder, and the permit shall not shield any person who abuses the trust imposed by it, or violates the laws aforesaid and in case of conviction in any proceeding, civil or criminal all liquors in possession of the permit holder may by order of the court be destroyed.

Adopted.

Senator Parrott moved the previous question.

Carried, and the previous question was seconded.

The main question was now ordered put.

The question being on the adoption of the substitute offered by Senator Bayless.

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Bayless, Bills, Bolter, Brower, Cleveland, Dodge, Engle, Gatch, Gobble, Groneweg, Kegler, Kelly, Kent, Lawrence, Mattoon, Mosnat, Rich, Schmidt, Shields, Smith of Linn, Stewart, Taylor, Wolfe—24.

The nays were:

Senators Bailey, Barnett, Barrett, Caldwell, Clyde, Davidson, Dungan, Finn, Funk, Harsh, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Wright, Vale, Weidman, Woolson—24.

Absent or not voting:

Senators Cassatt, Hanchett.

The President voted "nay" and the substitute was lost.

Senator Bailey submitted the following explanation of his vote:

I desire to say that I came to this session willing and determined to vote for a material and liberal modification of the pharmacy law, controlling the sale of liquors, but inasmuch as this substitute, in my judgment, throws to the winds many and necessary restrictions upon such traffic, I am compelled to vote against its adoption.

A. K. BAILEY, *Senator 42d District.*

The question now being on the engrossment of the bill.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Cleveland, Clyde, Davidson, Dungan, Engle, Finn, Funk, Gatch, Harsh, Kelly, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Parrott, Perkins, Price, Reiniger, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Woolson—36.

The nays were:

Senators Ballingall, Dodge, Groneweg, Kegler, Kent, Mills, Rich Schmidt—8.

Absent or not voting:

Senators Bolter, Cassatt, Gobble, Hanchett, Mosnat, Wolfe—6.

So the bill was ordered engrossed.

Senator Clyde explained his vote as follows:

MR. PRESIDENT—I cannot approve of all the provisions of this bill. I do not think that the portion which permits physicians to administer intoxicating liquors is sufficiently guarded to prevent serious abuse. But in behalf of my honest constituents, who have been unable under existing laws and the refusal of pharmacists to obtain permits to obtain liquors for lawful and necessary purposes, and for their relief, I vote aye, hoping that the abuses which I fear, may not be realized.

J. F. CLYDE, *Senator 41st District.*

Senator Woolson moved to reconsider the vote by which the bill was ordered engrossed.

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 wread a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gatch, Gobble, Harsh, Kelly, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mosnat, Parrott, Perkins, Price, Reiniger, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—41.

The nays were:

Senators Kegler, Kent, Mills, Rich—4.

Absent or not voting:

Senators Bolter, Cassatt, Groneweg, Hanchett, Schmidt—5.

So the bill passed and the title was agreed to.

Senator Gobble explained his vote as follows:

The bill is not what is wanted by the druggists of the district I represent, but believing it will give them some relief from the present oppressive legislation, I vote yea.

J. M. GOBBLE, *Senator 20th District.*

Senator Engle explained his vote as follows:

I voted for the Bayless substitute to this bill—I believe Senate file No. 218 is better than our present pharmacy law, not because I believe it is what it should be, but because it is the best law that we can get at this session.

PERRY ENGLE, *Senator 29th District.*

Senator Kegler explained his vote as follows:

MR. PRESIDENT—Although this bill may give slight relief to druggists in dispensing liquors in some instances, it does not anywhere near give the desired relief demanded. Therefore I vote no.

A. G. KEGLER, *Senator 23rd District.*

Senator Stewart explained his vote as follows:

MR. PRESIDENT—I wish to explain my vote. Believing that this bill will knock he stuffing out of the prohibitory law, I vote yea.

JOEL STEWART, *Senator 12th District.*

Senator Mattoon explained his vote as follows:

I vote for the bill for the reason that I consider it will be some relief to the druggists, not for the reason that I think it is all the relief the druggists ought to receive at the hands of the Twenty-third General Assembly.

L. B. MATTOON, *Senator 40th District.*

INTRODUCTION OF BILLS.

By Senator Price, Senate file No. 431, A bill for an act to apportion the State into representative districts and to declare the ratio of representation.

Read first and second times and referred to the Committee on Sifting Bills.

On motion of Senator Woolson, the Senate went into executive session.

After the executive session, the Senate on motion of Senator Bailey adjourned.

AFTERNOON SESSION.

The Senate reconvened at 2 P. M.

Lieut.-Gov. Poyneer in the chair.

Senator McCoy, from Committee on Sifting Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Sifting Bills, to whom was referred the bills and other matters now pending before the Senate, beg leave to report, recommending that the following bills be considered immediately on convening of the Senate this afternoon (April 12.)

Senate file No. 372, calendar number 209.

Senate file No. 253, calendar number 64.

And your committee will make further report concerning the bills and matters before the Senate.

BEN MCCOY, *Chairman*.

On motion of Senator Dungan, Senate file No. 372, a bill for an act to protect laborers and miners for labor performed in developing and working in coal mines, additional to chapter 100, acts of the Sixteenth General Assembly, and chapter 179, acts of the Twentieth General Assembly, 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Wright, Stewart, Taylor, Vale, Weidman—40.

The nays were—none.

Absent or not voting:

Senators Cassatt, Engle, Kent, Lawrence, Rich, Schmidt, Smith of Linn, Shields, Wolfe, Woolson—10.

So the bill passed and title was agreed to.

On motion of Senator Barnett Senate file No. 252, a bill for an act to amend chapter 16 of the acts of the Twenty-second General As-

sembly, relating to improvements of and granting additional powers to cities of the first and second class, with report of committee recommending that it do pass, was taken up and considered.

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 Bailey, Ballingall, Barnett, Barrett, Bayless, Brower, Caldwell, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Harsh, Mack, Mattoon, McCoy, Meservey, Mills, Parrott, Price, Seeds, Smith of Wright, Vale, Wolfe—27.

The nays were:

Senators Bills, Bolter, Engle, Hanchett, Kegler, Kelly, McVay, Perkins, Rich, Stewart, Taylor—11.

Absent or not voting:

Senators Cassatt, Cleveland, Dodge, Kent, Lawrence, Mosnat, Reiniger, Schmidt, Shields, Smith of Linn, Weidman, Woolson—12.

So the bill passed and the title was agreed to.

Senator McCoy, from Committee on Sifting Bills, submitted the following report:

MR. PRESIDENT—Your special Committee on Sifting Bills, to whom were referred the bills and other matters pending before the Senate, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to submit the following additional report: That when Senate file No. 2 shall be taken up for consideration by the Senate, House file No. 200 may be considered along with said Senate file No. 2, since both bills relate to the subject of text-books.

Also, that Senate file No. 418, providing for an additional half mill levy, be placed in the hands of the appropriations committee, to be called up by the chairman thereof along with the appropriation bills at such time as the Senate may have the same under consideration, and your committee will make further report concerning the bills and other matters pending before the Senate.

BEN MCCOY, *Chairman*.

Senator Gatch, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 389, 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 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 it do pass.

C. H. GATCH, *Chairman*.

On motion of Senator Gatch, Senate file No. 389, a bill for an act to appropriate money to reimburse the commissioner of pharmacy for money paid by them, and expense incurred in the enforcement of law, 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 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 Bailey, Ballingall, Barnett, Bayless, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Gatch, Gobble, Hanchett, Harsh, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Mills, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Wright, Stewart, Taylor, Vale, Weidman, Woolson—36.

The nays were:

Senators Bolter, Engle, Groneweg, Kegler—4.

Absent or not voting:

Senators Barrett, Bills, Brower, Cassatt, Finn, Funk, Meservey, Mosnat, Smith of Linn, Wolfe—10.

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 Senate file No. 313, a bill for an act to amend section one (1), chapter 137, laws of the 19th G. A., relating to registered pharmacists.

Also, I herewith present for your signature the following bills, which have passed both branches this G. A., been duly enrolled and signed by the Speaker of the House, S. F. Nos. 412, 374, 344, 163.

J. A. SHELTON, *1st Ass't Clerk.*

Senator Gatch, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 159, 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.

C. H. GATCH, *Chairman.*

On motion of Senator Gatch, Senate file No. 159, 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 Stewart moved to strike out the figures \$20,000, in section 3, and insert \$10,000.

On this the yeas and nays were demanded.

The yeas were:

Senators Bolter, Engle, Kegler, Stewart—4.

The nays were:

Senators Bailey, Ballingall, Barrett, Bayless, Bills, Brower, Caldwell, Cleveland, Clyde, Dungan, Funk, Gatch, Gobble, Hanchett, Harsh, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Taylor, Vale, Weidman, Wolfe, Woolson—38.

Absent or not voting:

Senators Barnett, Cassatt, Davidson, Dodge, Finn, Groneweg, Mack, Price—8.

So the amendment was lost.

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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Cleveland, Clyde, Dungan, Funk, Gatch, Gobble, Hanchett, Harsh, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Taylor, Vale, Weidman, Wolfe, Woolson—40.

The nays were:

Senators Bolter, Engle, Kegler, Stewart—4.

Absent or not voting:

Senators Cassatt, Davidson, Dodge, Finn, Groneweg, Smith of Wright.—6.

So the bill passed and the title was agreed to.

Senator Gatch, from the Committee on Appropriations, submitted the following report.

MR. PRESIDENT—Your Committee on Appropriations to whom was referred Senate file No. 423, a bill for an act for appropriations for State Library, beg leave to report 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.

On motion of Senator Gatch, Senate file No. 423, a bill for an act for appropriation for State Library, 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 considered engrossed and 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 Bailey, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Clyde, Dungan, Funk, Gatch, Gobble, Hanchett, Harsh, Kegler, Kelly, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—41.

The nays were—none.

Absent or not voting:

Senators Ballingall, Davidson, Dodge, Engle, Finn, Groneweg, Kent, Mills, Smith of Wright—9.

So the bill passed and the title was agreed to.

Senator Gatch, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred S. F. No. 427, a bill for an act providing for the removal of the battle flags carried by Iowa regiments in the war for the suppression of the rebellion from the arsenal to the new Capitol, and setting apart rooms therein for the Adjutant-general's office, beg leave to report 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.

On motion of Senator Gatch, Senate file No. 427, a bill for an act providing for the removal of of the battle flags carried by Iowa regiments in the war, for the suppression of the rebellion, from the arsenal to the new capitol and setting apart rooms therein for the Adjutant-general's office, with report of committee recommending that it do pass, was taken up and considered.

Senator Dungan moved to strike out section 3.

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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dungan, Engle, Finn, Funk, Gatch, Gobble, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat,

Parrott, Perkins, Price, Reiniger, Schmidt, Shields, Smith of Linn, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—44.

The nays were—none.

Absent or not voting:

Senators Cassatt, Dodge, Groneweg, Rich, Seeds, Smith of Wright—6.

Senator Dungan moved to strike out from the title of the bill the words, "and setting apart room thereon for the Adjutant-general's office."

Adopted.

So the bill passed and the title was agreed to.

On motion of Senator Gatch Senate file No. 239, a bill for an act to authorize the Executive Council to employ the services of a military band to be known as the "Iowa State Military Band," and to make an appropriation therefor, with report of committee without recommendation, was taken up and considered.

Senator Smith of Linn moved to strike out of section 1 the words "the capital of the State" and insert the words "Cedar Rapids."

Senator Weidman moved to lay the whole matter on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bills, Bolter, Brower, Clyde, Davidson, Groneweg, Harsh, Meservey, Parrott, Perkins, Price, Rich, Schmidt, Seeds, Smith of Linn, Smith of Wright, Taylor, Weidman, Wolfe—20.

The nays were:

Senators Bailey, Ballingall, Barrett, Bayless, Cleveland, Dungan, Funk, Gatch, Gobble, Hanchett, Kegler, Kelly, Kent, Mack, Mattoon, McCoy, Mills, Mosnat, Shields, Stewart, Woolson—21.

Absent or not voting:

Senators Caldwell, Cassatt, Dodge, Engle, Finn, Lawrence, McVay, Reiniger, Vale—9.

So the motion was lost.

The question now being on the adoption of the amendment offered by Senator Smith of Linn.

Lost.

Senator Mattoon moved to strike out section 2.

Adopted.

Senator Harsh moved to strike out of section 1 the words "employ the services of" and insert the word "select," in lieu thereof.

Adopted.

Senator Harsh moved to strike out that part of section 1, commencing with the word "such" in line 6 and the balance of the section.

Senator Gatch moved the previous question.

Carried, and the previous question was seconded.

The main question now was ordered put.

The amendment offered by Senator Harsh was adopted.

The substitute recommended by the committee as amended was adopted.

The question now being on the engrossment of the bill.

The yeas were:

Senators Bayless, Bills, Cleveland, Dungan, Funk, Gatch, Gobble, Hanchett, Kelly, Mack, Mattoon, McCoy, Parrott, Woolson—14.

The nays were:

Senators Bailey, Barnett, Barrett, Brower, Clyde, Davidson, Engle, Groneweg, Harsh, Kegler, Meservey, Mills, Mosnat, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Smith of Linn, Smith of Wright, Stewart, Weidman, Wolfe—24.

Absent or not voting:

Senators Ballingall, Bolter, Caldwell, Cassatt, Dodge, Finn, Kent, Lawrence, McVay, Shields, Taylor, Vale—12.

So the bill was lost on engrossment.

Senator Taylor was granted leave of absence for the rest of the afternoon session.

MESSAGE FROM THE HOUSE.

The following Message was received from the House:

MR. PRESIDENT—The House has passed the following bill, in which the concurrence of the Senate is asked:

Substitute for H. Fs. Nos. 56 and 208, a bill for an act to provide for holding farmers' institutes in the State of Iowa and providing for the expenses thereof.

H. S. WILCOX, *Chief Clerk*.

On motion of Senator Gatch, Senate file No. 34, 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, was taken up, considered, and the report of the committee was 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 Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, Mills, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Vale, Weidman, Wolfe, Woolson—40.

The nays were:

Senators Barnett, Engle—2.

Absent or not voting:

Senators Bailey, Ballingall, Cassatt, Finn, McVay, Meservey, Mosnat, Taylor—8.

So the bill passed and the title was agreed to.

HOUSE MESSAGES.

House file No. 40, a bill for an act appropriating money to the dependent parents of George Henry Kirsting, mortally wounded in assisting to arrest the Barber brothers.

Read first and second times.

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 Barrett, Barnett, Bayless, Bills, Bolter, Caldwell, Cleveland, Clyde, Dodge, Dungan, Engle, Finn, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, McCoy, Mills, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Smith of Wright, Stewart, Taylor, Vale, Weidman—35.

The nays were—none.

Absent or not voting:

Senators Bailey, Ballingall, Brower, Cassatt, Davidson, Funk, Mattoon, McVay, Mosnat, Seeds, Shields, Smith of Linn, Meservey, Wolfe, Woolson—15.

So the bill passed and the title was agreed to.

House file No. 308, a bill for an act to amend section 1, chapter 92, acts of the 19th General Assembly.

Read first and second times, and taken up and considered.

Senator Stewart moved to amend by adding at the end of the section the words, "no part of this fund shall be used to pay negro janitors."

Ruled out of order by the president as being in conflict with the constitution of the United States.

Senator Gatch moved that the rule be suspended, and 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 Bailey, Ballingall, Barnett, Barrett, Bills, Caldwell,

Cleveland, Clyde, Davidson, Dungan, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Wright, Stewart, Vale, Weidman, Woolson—39.

The nays were:

Senators Bolter, Engle, Finn—3.

Absent or not voting:

Senators Bayless, Cassatt, Dodge, Kent, Brower, Smith of Linn, Taylor, Wolfe—8.

So the bill passed and the title was agreed to.

Senator Davidson, 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:

Senate file 163, an act to amend section 9, of chapter 40, acts of the 19th General Assembly, in relation to the Institution for Feeble-Minded Children at Glenwood.

Also, Senate file 344, an act to accept and legalize the grant to the State of Iowa, made by the city of Iowa City, of certain rights and privileges in a public park and street in said city as indicated by an ordinance of said city passed March 7, 1890.

Also, Senate file 374, an act to relieve Mrs. A. Neet of Reinbeck, Iowa.

Also, Senate file 412, an act to legalize the proceedings of the board of supervisors of Calhoun county in locating and constructing ditches in said county and in assessing the cost thereof on the lands benefited thereby.

D. B. DAVIDSON, *Chairman*.

The Senate adjourned.

EVENING SESSION.

The Senate re-convened at 7:30 P. M.

Lieut.-Gov. Poyneer in the chair.

On motion of Senator Perkins Senator Clyde was excused on account of sickness.

Senator Bolter offered the following:

WHEREAS, The members of this Senate have carefully examined the practical operation of the full-sized "American Ballot Booth," now on exhibition in the rotunda of this capitol, and many of them have witnessed the blind voting independent or mixed tickets correctly without assistance, thereby demonstrating that the "Myers system" is well adapted to meet the needs of the illiterate and blind electors, thus giving it superior claims in all countries where universal suffrage exists, and

WHEREAS, Any bill for its adoption should be considered with care and due consideration, which the pronounced limit of three days until the adjournment of this session utterly precludes, therefore, be it

Resolved, That a vote of thanks be extended to Mr. Myers for his generous offer of the system to the State of Iowa, and that the same be commended to the careful and favorable consideration of the legislators of this and other States.

Adopted.

Senator Bayless moved that when the Senate adjourn it be until 9 o'clock A. M. Monday.

Carried.

The Senate took up for consideration the regular order for the evening, it being Senate file No. 2, 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 a majority of the committee recommending a substitute and when adopted it do pass.

Senator Meservey moved to postpone further consideration until House file No. 200 can be read a first and second times.

Pending which, Senator Wolfe moved as a substitute that further consideration of this matter be postponed until 10 o'clock A. M. Monday.

On this the yeas and nays were demanded.

The yeas were:

Senators Bolter, Brower, Hanchett, Kent, Parrott, Rich, Schmidt, Smith of Linn. Weidman, Woolson—10.

The nays were:

Senators Bailey, Barnett, Barrett, Bayless, Bills, Caldwell, Cleveland, Davidson, Dodge, Dungan, Engle, Funk, Gobble, Groneweg, Harsh, Kegler, Kelly, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Perkins, Price, Reiniger, Seeds, Shields, Smith of Wright, Taylor, Vale—33.

Absent or not voting:

Senators Ballingall, Cassatt, Clyde, Finn, Gatch, Stewart, Wolfe—6.

So the motion was lost.

The original motion was now adopted.

On motion of Senator Meservey the Senate took up House messages.

HOUSE MESSAGES.

House file No. 200, a bill for an act in relation to school districts, authorizing and empowering the boards of directors to purchase text-books and allowing the electors of said districts to decide the question of free text-books. Read first and second times.

Senator Meservey moved to suspend the rule, and take up for consideration House file No. 200.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barnett, Bayless, Bills, Brower, Caldwell, Cleveland, Davidson, Dodge, Dungan, Engle, Funk, Gobble, Harsh, Kegler, Kelly, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Perkins, Price, Reiniger, Rich, Seeds, Shields, Smith of Wright, Stewart, Taylor, Vale, Weidman, Woolson—36.

The nays were:

Senators Barrett, Bolter, Finn, Groneweg, Kent, Schmidt, Smith of Linn, Wolfe—8.

Absent or not voting:

Senators Ballingall, Cassatt, Clyde, Gatch, Hanchett, Parrott—6.

So the motion prevailed.

On motion of Senator McCoy the Senate took up House messages.

HOUSE MESSAGES.

House file No. 431, a bill for an act to legalize the re-incorporation of the first Congregational Church in Toledo, Tama county, Iowa.

Read first and second times and referred to the Committee on Sifting Bills.

House file No. 513, a bill for an act to legalize the official acts of the town council, ordinance and records of the incorporated town of Churdan, Greene county, Iowa.

Read first and second times and referred to the Committee on Sifting Bills.

House file No. 452, a bill for an act requiring persons or corporations owning or operating railways of the same gauge passing through or terminating in the same city or corporated town to connect said railway by switches and railway tracks or other suitable means.

Read first and second times and referred to the Committee on Sifting Bills.

House file No. 512, a bill for an act to re-enact section 1292 of the Code, to require railways operating in the State, intersecting or crossing other railways of the same gauge to connect by means of a "Y" or otherwise, and to draw cars of connecting or other railways at reasonable terms and at ordinary rates.

Read first and second times and referred to the Committee on Sifting bills.

House file No. 502, a bill for an act to amend section No. 1288 of the Code of 1873, relating to highway crossings.

Read first and second times and referred to the Committee on Sifting bills.

House file No. 501, a bill for an act to amend section 22, of chapter

28, of the acts of the Twenty-second General Assembly, relating to reports to be made to the Board of Railroad Commissioners.

Read first and second times and referred to the Committee on Sifting Bills.

House file No. 465, a bill for an act to so amend section 1717 and 1817 of the Code, as to require proper notice to be given of the special purpose of any tax proposed to be voted at the annual March meeting of independent and township districts.

Read first and second times and referred to Committee on Sifting Bills.

House file No. 503, a bill for an act to repeal section No. 1268 of the Code of 1873, and to enact a substitute therefore, relating to private crossings.

Read first and second times and referred to the Committee on Sifting Bills.

House file No. 508, a bill for an act to amend section 1 of chapter 24, acts of the 20th General Assembly.

Read first and second times and referred to Committee on Sifting Bills.

House file 449, a bill for an act to amend chapter 25 of the laws of the 14th General Assembly, entitled an act for the encouragment of horticulture and forestry.

Read first and second times and referred to Committee on Sifting Bills.

House file No. 18, a bill for an act to compel the owners of hedges along public highways to keep them within certain bounds.

Read first and second times and referred to Committee on Sifting Bills.

House file No. 78, a bill for an act to amend section 2272 of the Code of 1873, and to provide for appointing guardians of the person of habitual drunkards, and for the custody, restraint and confinement of habitual drunkards and their reformation, under orders of the district court or the judge thereof, and for terminating such guardianship.

Read first and second times and referred to Committee on Sifting Bills.

House file No. 407, a bill for an act to prevent discriminations in life insurance.

Read first and second times and referred to Committee on Sifting Bills.

House file No. 33, a bill for an act to establish an industrial home for adult blind.

Read first and second times and referred to Committee on Sifting Bills.

Substitute for House file No. 56 and 208, a bill for an act to provide for holding farmers' institutes in the State of Iowa, and providing for the expenses thereof.

Read first and second times and referred to the Committee on Sifting Bills.

House file No. 481, a bill for an act to extend bond No. 2 to the permanent school fund.

Read first and second times and referred to the Committee on Sifting Bills.

CONCURRENT RESOLUTION.

Resolved by the House, the Senate concurring:

That our Senators and Representatives in congress be and they are hereby requested to use their influence to secure the passage of a bill giving to every ex-prisoner of war two dollars a day for each day of imprisonment, and not less than eight dollars per month pensions.

Read first and second times and referred to the Committee on Sifting Bills.

Substitute for H. F. 274, a bill for an act to protect employes and aborers in their claims for wages.

Read first and second times and referred to the Committee on Sifting Bills.

House file No. 432, a bill for an act to amend chapter 31 of the laws of the 22d General Assembly, relative to change of name of railway stations.

Read first and second times and referred to the Committee on Sifting Bills.

House file No. 66, a bill for an act to protect stock-breeders within the State of Iowa.

Read first and second times and referred to the Committee on Sifting Bills.

House file No. 489, a bill for an act to require Boards of County Supervisors to ascertain the amount of school fund belonging to the county remaining unloaned on the first day of each regular session, and to have a statement thereof published with the proceedings of said board.

Read first and second times and referred to Committee on Sifting Bills.

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. 467, a bill for an act to amend chapter 97 of the 18th General Assembly, entitled an act to legalize the organization of the independent school district of Red Rock, Red Rock township, Marion county, Iowa, and to establish the boundaries 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.

JOHN S. WOOLSON, *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 substitute for House file No. 175, a bill for an act to legalize the incorporation of the town of Galva, and the acts of said town done and performed 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 be amended by adding at the end of section 1 the words "and made valid with the same force and effect as though the incorporation of said town had been duly and legally effected," and that as so amended the bill do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Senator Woolson, from Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House file No. 365, a bill for an act to legalize the incorporation and the official proceedings of the town of Dyersville, in the county of Dubuque, and 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 do pass.

JNO. S. WOOLSON, *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. 331, a bill for an act to legalize the incorporation of the town of Casey, Guthrie county, Iowa, the election of its officers, and all acts done and the ordinances passed by the council of said town, 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.

The Senate resumed consideration of House file No. 200, a bill for an act in relation to school districts authorizing and empowering the boards of directors to purchase text-books, and allowing the electors of said district to decide the question of free text-books.

Senator Finn offered the following as a substitute:

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 it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the members of the Executive Council and the Superintendent of Public Instruction 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 six weeks, 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 eight years, beginning with September 1, 1890.

SEC. 3. Such proposals or bids shall be accompanied by samples of 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 five 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 party shall furnish a bond running to the State of Iowa, in the sum of one hundred thousand dollars (\$100,000), 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 eight years shall fill 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 office 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 eight 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 have the right to again advertise for bids or all or a part of the books required, and if, in their judgment, from combination or any other cause, the prices named in the bids made and offered are rea-

sonably high for all or any of the books required, they shall have power to procure books of such character as they find unreasonably high to be printed by the State, or to be edited and so printed, and to be furnished to the school districts or patrons of the schools in the manner as provided for in this act.

SEC. 6. The board of directors of any district township or independent school district, upon the petition of one-third of the freehold 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 propositions: First—Shall the district supply school books to the pupils free of cost; or, second—Shall the district supply school text books to the pupils at actual cost?

SEC. 7. In the event that the first proposition is adopted by a majority of the qualified electors of said district present and voting at such meeting, it shall be the duty of the board of directors to purchase of the person, firm or corporation contracting with the State, as provided in this act, said school text-books, and to supply the same to the pupils of the schools of said district, the same to remain the property of the district, and to be loaned to said pupils, and used by them under such rules and regulations as the county superintendent of schools in the county wherein such district is located shall from time to time prescribe.

SEC. 8. In order to purchase said books the board of directors shall draw from the contingent fund of the district the necessary funds therefor, and shall certify to the board of supervisors the amount expended in such purchase, and it shall be the duty of the board of supervisors of the county wherein such is located, to levy a sufficient tax upon the property of the district to raise a sum equal to the amount so expended, which sum, when collected, shall be paid over to said district and placed in such contingent fund; and thereafter annually the board of supervisors in levying the tax for the contingent fund for such district shall take into consideration the amount necessary to supply such district with funds needed for the keeping up and furnishing of such school text-books.

SEC. 9. In the event that the first proposition be rejected and that the second 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, or from the State, as the case may be, and to sell the same to the pupils of the district at the net cost of them, for cash; *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.

SEC. 10. 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 said pupils; *provided, however*, that said board may require the price of said books to be paid to them in advance before ordering the same.

SEC. 11. 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 eight 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. 12. All acts and parts of acts in conflict herewith are hereby repealed.

SEC. 13. This act being deemed of immediate importance shall take effect from and after its publication in the *Iowa State Register* and *Des Moines Leader*.

The original bill, House file No. 200, was first considered and amended.

Senator Woolson moved to amend section six as follows:

Upon the petition of one-third of the electors of any district, township or independent district, the board of directors thereof shall submit to the electors thereof, at the next regular annual meeting, ten days notice of such submission having first been given by posting notice in four public places in said school district, and by giving said notice at least one publication in some newspaper in said district, if one be published therein, and if none be published in said township, then in some newspaper in said county, to be selected by said board of directors, the following proposition: "Shall the board of directors purchase and supply necessary text-books to the pupils free of charge." Electors favoring or opposing said proposition shall have plainly written or printed under said proposition the word "yes" "no," as they may desire to vote thereon. Said vote shall be canvassed and the result thereof entered of record in the same manner as in the case of other school elections. If a majority of said votes cast with reference to said proposition shall be in favor of the same, said board of directors shall purchase from time to time, out of the contingent fund the text-books necessary for the use of the pupils of the district township, or independent district, and said text-books shall be uniform throughout the district. In the purchase of said text-books, the payment therefor, the certifying of the funds expended, the provisions of this act as the same are provided with reference to books when bought by districts and sold to pupils shall be observed and shall obtain.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barrett, Bills, Brower, Caldwell, Cleveland, Dungan, Finn, Hanchett, McCoy, Mosnat, Parrott, Price, Seeds, Smith of Linn, Vale, Weidman, Wolfe, Woolson—19.

The nays were:

Senators Barnett, Bayless, Bolter, Davidson, Dodge, Engle, Funk, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McVay, Meservey, Mills, Perkins, Reiniger, Rich, Shields, Smith of Wright, Stewart, Taylor—27.

Absent or not voting:

Senators Ballingall, Cassatt, Clyde, Schmidt—4.

So the amendment was lost.

Senator Engle explained his vote as follows:

I am in favor of free school books with State uniformity and optional State publication. I would vote for this amendment if it could at this late period become a law, but I fear it cannot. I will favor a compromise law rather than no law.

PERRY ENGLE, *Senator 29th District.*

Senator Reiniger explained his vote as follows:

I am in favor of this amendment, but fear its adoption at this time would defeat all legislation on the school book question at this session. I feel it my duty to vote no.

ROBT. G. REINIGER, *Senator 44th District.*

Senator Funk explained his vote as follows:

I earnestly favor free school books at the option of the district. Realizing, however, the urgent demand for relief from burdens imposed by publishers and believing the bill passed by another body of the General Assembly now under consideration as a substitute promises benefit to the people and that its acceptance by this body without material amendment is the only way to secure anything at all helpful in the way of legislation at this session, I vote no.

A. B. FUNK, *Senator 47th District.*

Senator Perkins explained his vote as follows:

MR. PRESIDENT—Because my constituents need relief in text-book reform, and because I am satisfied this amendment would ultimately defeat the school book legislation. I vote no.

GEO. W. PERKINS, *Senator 7th District.*

Senator Mattoon explained his vote as follows:

I favor free books, but vote no for the reason, that to amend this bill will defeat all text-book legislation.

L. B. MATTOON, *Senator 40th District.*

Senator Harsh explained his vote as follows:

MR. PRESIDENT—I am in favor of free text-books, but I vote against the amendment providing for the same in this bill, as I fear its adoption will defeat legislation on the subject at this session. There is but one day and a half remaining of this session; if it is adopted the bill will have to go back to the House for its concurrence.

J. B. HARSH, *Senator 5th District.*

Senator Price offered the following substitute for section 12:

Nothing in this act shall prevent boards of directors from selecting and adopting such additional or supplementary books as they may deem necessary to their course of study.

Senator Bayless moved the previous question.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barnett, Bayless, Bills, Davidson, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Harsh, Kelly, Lawrence, Mack, Mattoon, Meservey, Mills, Perkins, Reiniger, Shields, Smith of Wright, Stewart, Taylor—24.

The nays were:

Senators Barrett, Bolter, Brower, Cleveland, Dodge, Finn, Hanchett, Kegler, Kent, McCoy, McVay, Mosnat, Parrott, Price, Rich, Seeds, Smith of Linn, Vale, Weidman, Wolfe Woolson—21.

Absent or not voting:

Senators Ballingall, Caldwell, Cassatt, Clyde, Schmidt—5.

The motion prevailed and the previous question was seconded.

On the question, shall the main question be now put? the yeas and nays were demanded.

The yeas were:

Senators Bailey, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Davidson, Dodge, Dungan, Engle, Funk, Gatch, Gobble, Grone-
weg, Harsh, Kelly, Lawrence, Mack, Mattoon, McCoy, McVay, Meser-
vey, Mills, Perkins, Rich, Shields, Smith of Wright, Stewart, Taylor,
Vale—31.

The nays were:

Senators Barnett, Barrett, Finn, Hanchett, Kegler, Kent, Mosnat, Parrott, Price, Reiniger, Seeds, Smith of Linn, Weidman, Wolfe, Woolson—14.

Absent or not voting:

Senators Ballingall, Cassatt, Clyde, Reiniger, Schmidt—5.

So the main question was ordered put.

The question now recurring on the adoption of the amendment offered by Senator Price, the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bolter, Finn, Hanchett, Parrott, Price, Weidman, Wolfe—8.

The nays were:

Senators Bailey, Barnett, Bayless, Bills, Brower, Caldwell, Cleve-
land, Davidson, Dodge, Dungan, Engle, Funk, Gatch, Gobble, Grone-
weg, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy,
McVay, Meservey, Mills, Mosnat, Perkins, Reiniger, Rich, Seeds,
Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale,
Woolson—38.

Absent or not voting:

Senators Ballingall, Cassatt, Clyde, Schmidt—4.

So the amendment was lost.

The question now being on the adoption of the substitute offered by Senator Finn.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Barrett, Finn, Kelly, Mattoon, Price, Weidman, Wolfe—8.

The nays were:

Senators Bailey, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Davidson, Dodge, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Harsh, Kegler, Kent, Lawrence, Mack, McCoy, McVay, Meservey, Mills, Mosnat, Perkins, Reiniger, Rich, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Woolson—36.

Absent or not voting:

Senators Ballingall, Cassatt, Clyde, Hanchett, Parrott, Schmidt—6.

So the substitute 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 Bailey, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Davidson, Dodge, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Perkins, Price, Reiniger, Rich, Seeds, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman and Woolson—39.

The nays were:

Senators Finn, Kegler, Kelly, Kent and Shields—5.

Absent or not voting:

Senators Ballingall, Cassatt, Clyde, Parrott, Schmidt and Wolfe—6.

So the bill was ordered read the third time to-morrow.

Senator Meservey moved that the vote by which the bill was ordered to a third reading to-morrow be re-considered.

Carried.

Senator Woolson moved to strike out section 9 and insert the following:

SECTION 9. The board of supervisors of any county in which a submission of the question of county uniformity has been provided for, in accordance with the preceeding section, shall arrange for a vote of the electors at the annual meeting in March, for or against county uniformity of school text-books under such rules and regulations as said board of education may determine. Should a majority of the electors of the county, voting at such election, favor a uniform series of text-books for use in said county, then the board of supervisors shall appoint three competent persons, who, together with the county superintendent and the county auditor of said county, shall constitute the County Board of Education. Said members of said County Board of Education shall take and subscribe an oath, faithfully to perform their duties as members of said county board. Said three appointees

shall receive as their full compensation the sum of four dollars per day for each day actually employed by them in the performance of their duties as members of such board, which shall be allowed by the board of supervisors and be paid by the county, upon a sworn and itemized statement of the member making the claim. Said County Board of Education shall meet and select the school text-books for the entire county, and contract for the same under such rules and regulations as the said Board of Education may adopt.

Senator Finn offered the following substitute:

A BILL

FOR AN ACT RELATING TO SCHOOL TEXT-BOOKS, CREATING A BOARD OF SCHOOL BOOK COMMISSIONERS, AND PROVIDING FOR UNIFORMITY IN SCHOOL TEXT-BOOKS IN THE SEVERAL INDEPENDENT DISTRICTS AND DISTRICT TOWNSHIPS, BY VOTE OF THE ELECTORS THEREOF, AND FOR PURCHASING AND SUPPLYING SUCH BOOKS FREE OR AT ACTUAL COST, AS SAID ELECTORS MAY DETERMINE.

SECTION 1. The Governor, Secretary of State, Superintendent of Public Instruction, President of the State University, and President of the State Normal School, are hereby constituted the "Board of School Book Commissioners." Whenever about to select school books and accept or reject proposals for school books, said commissioners shall, by a majority vote, choose and appoint one County Superintendent of Schools within this State, and one City Superintendent (or Principal) of Public Schools within this State, to assist them in their said contemplated duties. In the selection of school books, and the rejection or acceptance of proposals therefor, said County and City Superintendents shall severally vote with same force and effect as the members of said board may vote, on all questions arising before said board with relation thereto. When said matters, in contemplation at time said County and City Superintendents were chosen and appointed, shall have been transacted, said Superintendents so chosen and appointed shall cease to act under said appointment. And said board shall newly choose and appoint, as aforesaid, whenever a different occasion shall arise therefor. While acting as, or with, members of said board, said President of the State University, said President State Normal School, and said County and City Superintendents shall be paid their actual traveling and other expenses, and said County and City Superintendents shall also receive five dollars per day for each day actually so employed, said amounts, together with the necessary expenses of advertising, to be paid out of any moneys in the State treasury not otherwise appropriated, upon warrants of the State Auditor, which shall issue upon itemized statements sworn to by the claimants and approved by said board.

SEC. 2. Said board shall, as soon as practicable after the passage of this act, advertise weekly in six different newspapers in different localities in this State, and in other States, if said board shall so order, for the term of six weeks, that sealed proposals will be received at the office of the Secretary of State for furnishing and selling such school text-books for the teaching of the branches required to be taught in the public schools of the State, as may be ordered under this act and for the use in the schools of this State for the term of five years, beginning with September 1, 1890.

SEC. 3. Such proposals shall be accompanied with samples of books offered, and a statement of the price asked for each of said books; and the person, firm or corporation making such proposal shall file therewith his proper and sufficient bond, with sureties as by law required, and to the approval of said board, in the penal sum of five thousand dollars, running to the State of Iowa, and which shall be for the use of all persons concerned, and conditioned that within sixty days from the date of acceptance of said proposal, the obligor in said bond will enter into contract as contemplated in said proposal, and furnish the bond by this act and hereinafter required. Each party making proposal shall furnish to the board seven copies of each book proposed to be furnished, for examination by said board, and which shall thereafter be deposited and kept for public inspection in the office of the State Superintendent of Public Instruction. Upon the acceptance by said board of any proposal for the whole or any part of the school text-books named in said proposal, the party making said proposal shall, within sixty days from the date of said acceptance, file in the office of the Secretary of State, a good and sufficient bond, running to the State, and for the use and benefit of all persons concerned, in such penal sum as may be determined by the Executive Council, but in no event less than twenty-five thousand dollars, conditioned for the faithful performance of the contract contemplated by said accepted proposal and provided for herein, and of all the details thereof, and that said text-books to be supplied under said contract shall be in all respects at least equal to the samples so furnished as aforesaid, which said bond shall be subject to the approval of the Executive Council.

SEC. 4. Said contract shall provide that the party obligated thereby shall at all times during the life thereof, keep an office or place of business in the city of Des Moines, Iowa, and for the term of five years shall promptly fill all valid and authorized orders for school text-books — of the particular kind selected by the board of school book commissioners — received by said contracting party, under this act, from any and all district townships and independent districts at the prices named in said accepted proposal; said books to be delivered at the county seat of the county wherein said school district ordering said books is located, or at such other railroad office in proximity thereto as may be designated in such order, said books to be paid for upon delivery of the same, except as otherwise specially agreed between the parties to any particular order. Said contract shall further provide that said contracting party shall promptly furnish, if the same shall be ordered by any school district, all and any new and improved editions of such school text-books therein contracted for as may be made or published during the said five years, and at the prices stated in said proposal; and that said new and improved editions shall first be submitted to and approved by said board of school book commissioners, and that all school text-books so contracted to be furnished shall be delivered in good order and without unnecessary delay, and shall be equal in every respect, in quality and kind, to the samples furnished as hereinbefore prescribed.

SEC. 5. Every proposal shall be construed to be a proposal for each text-book therein named, as though separately made therefor, and at the prices therein stated, and may be accepted accordingly. Said commissioners shall have the right to reject any and all proposals, and they shall reject all proposals for any books, the samples of which, as furnished as hereinbefore prescribed, are not, in educational and literary merit and mechanical execution, of superior quality; and said commissioners shall have the right to again advertise for proposals for all or a part of the books required, from time to time, as may be found necessary, and as the needs of the State may require, and pursuant to the provisions hereof.

SEC. 6. Upon the petition of one-third of the resident freeholders of any district township or independent district, the board of directors, after having given four weeks notice of the time and place thereof, by posting notices in four public places in said district, and by publishing said notice for four weeks in some newspaper, if any published in said district, shall submit to the electors of said district township or independent district, as the case may be, at the next regular meeting of the electors thereof, or at a special election provided for by said board and specially designated in said notices of election, the following propositions:

First. Shall the board of directors supply school text-books to the pupils free of cost?

Second. Shall the board of directors supply school text-books to the pupils at actual cost?

Third. Will the district order that the school text-books to be supplied to the pupils shall be the text-books selected by the board of school book commissioners of the State?

Fourth. Shall the board of directors be empowered to select and procure the text-books to be used in the schools?

Said election shall be held as provided for other school elections as nearly as practicable. Each ballot shall contain all the above propositions, and shall be furnished by said board and at the cost of the independent district or district township to the electors thereof. And each elector voting said ballot shall have plainly written or printed under each proposition the word "Yes" or "No," as he may desire to vote thereon. But no variation from the above-named method of expressing the elector's intention shall invalidate his ballot, if, from said ballot as cast, the intention of the elector is manifest. A full record of said election and of the proceedings thereat, and canvass of the vote cast, shall be kept in the record of said districts, and if the third proposition is carried the secretary shall at once notify the superintendent of public instruction thereof.

SEC. 7. If the majority of votes cast at said election shall be in favor of either of the propositions with reference to furnishing text-books free of cost, or at actual cost, and if a majority of the votes cast shall be in favor of supplying the text-books selected by the board of school book commissioners, it shall be the duty of the board of directors within whose district such vote was cast to purchase, as hereinafter provided, of the party contracting with the State, as provided in this act, said school text-books, and to supply the same to the pupils of said district, either free of costs or at actual cost, as said majority vote of said electors shall have decided.

SEC. 8. If the majority of votes cast at said election shall be in favor of either of the propositions with reference to furnishing text-books free of cost, or at actual cost, and if a majority of the votes cast shall also have been in favor of empowering the board of directors to select and procure the text-books to be used therein, said board of directors, before purchasing such text-books, shall advertise for proposals by posting and publishing such notices therefor as said board may deem necessary and profitable, which shall include the publication for not less than four successive weeks in some newspaper published in said district if any published therein, and if none so published therein, then for same length of time in some newspaper published at the county seat of that county, and said notice shall be at once filed in the office of the State Superintendent of Public Instruction, and open to the inspection of publishers; said notices shall state the place at which, and the date up to which, proposals will be received, and also state in general terms the

text-books to be contracted for; and said proposals shall be accompanied by a proper bond, in the penal sum of not less than one hundred dollars, with sureties to the approval of the county auditor of that county, and conditioned that the obligor shall, within sixty days from the acceptance thereof, enter into a contract as in the proposal of said obligor stated. Said board shall award the contract for said text-books to any responsible bidders offering such text-books as the board shall select at the most satisfactory prices, having regard to educational and literary merit and mechanical execution, and at prices not exceeding those given for like volumes in the contract entered into with the State at the instance of the board of school book commissioners; or the board of directors may reject any or all bids, or any part thereof, and re-advertise therefor; and every proposal shall be construed to be a proposal for each book or set of books therein named, and at the price therein named, as though such proposal had been separately made for each book or set of books, and may be accepted accordingly. And every contract for school text-books shall be in writing, and shall provide that the party contracting shall furnish such additional of the books of the kind and quality contracted for, and at not exceeding the contract price, as the board may order for the district for five years then next ensuing; provided, that the electors of said district or district township do not, within said five years, by vote, as in this act provided, change their said text-books. And every contract under this section shall be held to reserve, and shall reserve, to the district or district township therein interested, the right and power at any time after two years from the date of said contract, to change their said text-books by vote of the electors of said district or district township, as in this act provided.

SEC. 9. Whenever school text-books have been adopted under any of the provisions of this act, the board of directors may displace the adopted books, or any of them, after two years from the date of adoption, and adopt new books in lieu thereof; but changes in this section provided shall not be made oftener than once in two years, and then only upon presentation to the board of directors of a petition signed by a majority of the electors of said independent district or district township, and after a two-thirds vote in accordance therewith of the electors voting thereon at a general or special election, previous notice of the time, place and manner of conducting said election, and that the question of changing text-books will be submitted having been given as provided in section 6 hereof.

SEC. 10. The school books furnished, under this act, shall be uniform in the independent districts or district townships to which they are to be furnished. If they are to be supplied to pupils free of cost they shall be placed in the care of the secretary, 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 shall keep an accurate list of the books delivered to each scholar in a suitable book to be provided by the board of directors for that purpose, and shall 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 said 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 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 expedient; and in the absence of the adoption of rules and regulations by the district or district township, the county superintendent of the county shall prescribe rules and regulations therefor. 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. 11. Whenever any board of directors are authorized to select and purchase school text-books under this act, they may arrange on equitable terms to exchange the books then in use for new books, or they may take into consideration the books then in use in the schools to be supplied, and may purchase additional books of the same kind, as such books may be needed.

SEC. 12. When school books are adopted under any of the provisions of this act, they shall not thereafter be changed or displaced within five years from the time of adoption, except as provided for in section 9 hereof.

SEC. 13. Said school text-books, if to be supplied free of cost, whether purchased from the party having contracted with the State with reference thereto, or from other parties, shall be paid for out of the contingent fund of the district or district township, as the case may be; and the board of directors thereof shall certify to the supervisors of the county in which said district is located the amount expended in such purchase, and said supervisors, at the time of making the levy, next following, shall make such levy on the property liable to taxation within said district or district township, as the case may be, as shall be sufficient to raise a sum equal to the amount so expended, which sum, when collected, shall be paid over to said district and placed in such contingent fund. And thereafter annually, said board of directors, in certifying the amount of contingent fund to be raised for such district or district township, shall take into consideration and certify any additional amount necessary to be raised to supply the funds needed for the keeping up and furnishing such school text-books.

SEC. 14. In case the electors of said district or district township at the first election hereinbefore provided for, shall by majority vote elect to supply text-books to the pupils at actual cost, the board of directors thereof shall proceed in the same manner as though said text-books were to be supplied free of cost, to purchase same or to select and purchase same. And when said text books are so procured said board shall provide for the sale thereof, by the secretary or otherwise, to the pupils of said district or district township or to their parents or guardians, at net cost for cash; and in order to so purchase said books, said board may draw upon the contingent fund to pay therefor, and shall replace the same with the proceeds received from selling such books to said pupils or patrons.

SEC. 15. If at any time the party who has contracted with any independent district or district township to furnish text-books hereunder shall neglect or refuse to furnish any text-books named in said contract and at the terms therein named therefor, when the same have been duly ordered by the board of directors of the district or district township with whom such party has contracted, then said board of directors may purchase said text-books of other persons, and said district or district township shall have a right of action therefor upon the bond of said contractor so neglecting or refusing.

SEC. 16. Any district township or independent district having procured its school text-books under the provisions of this act, is hereby prohibited from using any other series of such school text-books, except as the same may be used as intermediate to those so procured, during the term of five years from date same were so procured; provided, that the changes hereinbefore provided may be made by vote of the electors of the independent district or district township.

SEC. 17. 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 text-book to any school district or school board in this state. A violation of the provisions of this section is hereby declared to be a misdemeanor and shall be punished by fine not exceeding \$500.

SEC. 18. All acts and parts of acts inconsistent or in conflict herewith are hereby repealed.

SEC. 19. 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 Hanchett moved that the Senate do now adjourn.

Lost.

The question now being on the adoption of the amendment offered by Senator Woolson.

Senator Kelly moved the previous question.

Carried, and the previous question was seconded.

The main question was now ordered put.

The question being on the amendment offered by Senator Woolson.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Brower, Cleveland, Dodge, Finn, Gobble, Hanchett, Kegler, McCoy, Mosnat, Parrott, Perkins, Price, Seeds, Smith of Linn, Vale, Weidman, Wolfe, Woolson—19.

The nays were:

Senators Bailey, Bayless, Bills, Caldwell, Davidson, Dungan, Engle, Funk, Gatch, Groneweg, Harsh, Kelly, Kent, Mack, Mattoon, McVay, Meservey, Mills, Reiniger, Rich, Smith of Wright, Stewart, Taylor—23.

Absent or not voting:

Senators Ballingall, Barrett, Bolter, Cassatt, Clyde, Lawrence, Schmidt, Shields—3.

So the amendment was lost.

The question now being on the adoption of the substitute offered by Senator Finn.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Engle, Finn, Hanchett, Kelly, Price—6.

The nays were:

Senators Bailey, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Davidson, Dodge, Dungan, Funk, Gatch, Gobble, Groneweg, Harsh, Kegler, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Perkins, Reiniger, Rich, Seeds, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Wolfe, Woolson—37.

Absent or not voting:

Senators Ballingall, Cassatt, Clyde, Parrott, Schmidt, Shields, Weidman—7.

So the substitute was lost.

Senator Woolson explained his vote as follows:

While I assisted as a member of the Committee on Schools in reporting to the Senate the bill now offered by the Senator from Taylor as a substitute for the pending bill, I am yet compelled to vote against this substitute for the reason, and only for the reason, that I am compelled by the action taken this evening by the Senate, to vote for the House bill now pending, or not to vote any bill into law. Senator after Senator has this evening stood in his place in this Chamber, and declared that each of the amendments I offered in good faith to the bill was just and right, and ought to be adopted, but that they would, and did vote against the amendments, they had declared they approved as right and proper to the bill, and necessary to its completion. Having exhausted every means known to me, by which I could attempt the perfection of the bill, and being therefore compelled to vote for or against the bill as it now stands, and recognizing there is merit in the bill, I vote against this substitute, and shall on its passage vote for the pending House bill.

JNO. S. WOOLSON, *Senator 10th District.*

Senator Kegler explained his vote as follows:

MR. PRESIDENT—I am in favor of such school book legislation as will place text-books at very lowest price, but this bill is so very defective, and on account of the previous question it could not be amended, therefore I vote no.

A. G. KEGLER, *Senator 23d District.*

Senator McVay explained his vote as follows:

MR. PRESIDENT—I wanted to vote for Senate file No. 2 under circumstances that would lead to its enactment into law, but its presentation at this time means defeat to all legislation on this subject. I vote no.

J. D. McVAY.

On the question, shall the bill be read a third time to-morrow? the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Dodge, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Harsh, Kegler, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Perkins, Price, Reiniger, Rich, Seeds, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Woolson—37.

The nays were:

Senators Finn, Hanchett, Kelly, Kent, Weidman—5.

Absent or not voting:

Senators Ballingall, Cassatt, Clyde, Davidson, Parrott, Schmidt, Shields, Wolfe—8.

So the bill was ordered read a third time to-morrow.

Senator Seeds explained his vote as follows:

MR. PRESIDENT—The people of this State demand a reduction in the price of school text-books, and with this demand I am in hearty sympathy. There are now but the parts of two days left in this session in which, among many other important matters, to do something regarding this text-book question. It is evident no exhaustive or thorough consideration of the question can be had at this late date. The bill now being voted for, substitute for House file No 200, does not satisfy me as the best possible; but as it will certainly aid in reducing the prices somewhat, I cannot refuse to give my support to it, as "half a loaf is better than none," therefore I vote aye.

ED. P. SEEDS, *Senator 33d District.*

Senator Meservey moved that the vote by which the bill was ordered engrossed and read a third time to-morrow be re-considered.

Carried.

Senator Weidman offered the following amendment:

Insert in line 9 of section 1, printed bill, the words "such a bond as the board of directors may direct."

Pending which, Senator Kelly moved the previous question.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bills, Cleveland, Engle, Gobble, Harsh, Kelly, Meservey, Reiniger, Smith of Wright, Vale, Weidman—12.

The nays were:

Senators Barrett, Bolter, Dodge, Dungan, Finn, Hanchett, Kegler, Lawrence, Mack, Mattoon, McCoy, McVay, Mosnat, Parrott, Perkins, Price, Seeds, Smith of Linn, Stewart, Taylor, Woolson—21.

Absent or not voting:

Senators Bailey, Ballingall, Bayless, Brower, Caldwell, Cassatt, Clyde, Davidson, Funk, Gatch, Groneweg, Kent, Mills, Rich, Schmidt, Shields, Wolfe—17.

Lost, and the previous question was not seconded.

The question now being on the amendment offered by Senator Weidman, it was lost.

Senator Mosnat moved that the Senate do now adjourn.

On this the yeas and nays were demanded.

The yeas were:

Senators Bolter, Hanchett, Kegler, Mosnat, Smith of Linn, Wolfe—6.

The nays were:

Senators Bailey, Barnett, Bayless, Bills, Caldwell, Cleveland, Davidson, Dodge, Dungan, Engle, Funk, Gobble, Groneweg, Harsh, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills,

Parrott, Perkins, Price, Reiniger, Rich, Seeds, Smith of Wright, Stewart, Taylor, Vale, Weidman—34.

Absent or not voting:

Senators, Ballingall, Barrett, Brower, Cassatt, Clyde, Finn, Gatch, Schmidt, Shields, Woolson—10.

So the motion was lost.

Senator Hanchett offered the following substitute:

A BILL

FOR AN ACT ESTABLISHING COUNTY UNIFORMITY OF SCHOOL TEXT-BOOKS, CREATING A BOARD OF SCHOOL BOOK COMMISSIONERS, DEFINING THE DUTIES THEREOF, FIXING THE COMPENSATION OF SAID BOARD, AND PROVIDING FOR RETRENCHMENT AND REFORM IN THE PURCHASE AND SUPPLYING OF SCHOOL TEXT-BOOKS FOR USE IN THE PUBLIC SCHOOLS OF THE STATE.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That the board of supervisors and their successors in office in each and every county within the state, be and hereby are constituted and appointed a county board of school book commissioners in and for their respective counties. Said board shall, within thirty days from the passage of this act, meet and organize as a board of school book commissioners by electing one of its number as president and one as secretary, who shall hold said offices for one year and until their successors are elected, as herein provided. A majority of said board shall constitute a quorum for the transaction of business. Said board shall receive the same compensation for actual services rendered as school book commissioners as is allowed by law to boards of county supervisors; the secretary may receive such further compensation as may be allowed by the board of supervisors. The secretary shall keep a record of the meetings of said board, which shall set forth the entire proceedings thereof, and the same shall be a public record and shall be open to the inspection of the public at all reasonable times.

SEC. 2. It shall be the duty of such board of school book commissioners, within sixty days from the passage of this act, to advertise weekly for three successive weeks in three of the newspapers published in their respective counties, that sealed proposals will be received at the office of said board for furnishing and delivering to the county as many school text-books of the particular kinds required and selected by said board of commissioners under this act as may be needed for use in the public schools of the county, for the term of five years from the first day of September, 1890.

SEC. 3. Said proposals shall be accompanied by samples of books offered, together with the price that each book will be furnished for; also, a bond in the penal sum of five hundred dollars, payable to the people of the state of Iowa, for the use and benefit of the county in which the proposals are received, and conditioned upon the entering into a contract for the furnishing of any of the text-books mentioned in such proposal for the term of five years from the first day of September, 1890. Should the same, or any part thereof, be accepted, such bond to be approved by said board, who shall have the right to reject any portion or part of such proposal, and accept the balance, or may reject all proposals if in their judgment the prices asked are too high, and in that event said board shall re-advertise as in the first instance.

SEC. 4. Said proposals shall be opened in the presence of a majority of said board, who shall, if the prices asked and the kinds of books proposed to be furnished satisfactory, proceed to select therefrom a series of text-books which in their judgment are best adapted for use in the public schools of their county, and in determining such selection said board may ask for and receive the counsel and advice of the county superintendent of schools in their respective counties, and after making such selection and procuring the same for distribution, as hereinafter provided, the use of any other text-books in any of the public schools in said county is hereby prohibited for the term of five years from the first day of September, 1890, at the expiration of which, and every five years thereafter, said board may make a change of such text-books as may in their judgment and that of the county superintendent of schools, seem for the best interests of the public schools of their county, the methods of procuring the same to be as nearly as possible those set forth in sections two, three and four of this act.

SEC. 5. Upon the acceptance of any proposal for the whole or any part of a series of text-books by said board, the contracting party shall furnish a bond running to the people of the State of Iowa, for the use and benefit of the people of the county in which said contract is made; said bond shall be in the sum of five thousand dollars, and conditioned for the faithful performance of said contract, and shall be approved by said board of commissioners and recorded in the recorder's office of said county. Said contract shall also provide that the person, company or corporation whose bid or proposal, or any part thereof, which has been accepted, shall establish and maintain an agency or supply department for such text-books as called for in their contract, at the county seat of the county in which such contract is made, for the term of five years from the first day of September, 1890. Said board of school book commissioners shall have their office at the court house in their respective counties, and shall hold annual meetings on the fourth Monday in August of each year, and may hold such other meetings during the year as may be necessary to transact the business of the board.

SEC. 6. Said board shall, within fifteen days from the entering into a contract or contracts for the supplying of a series of text-books, furnish to the school treasurer of each township in the county a complete list of the text-books selected by them, also the price or cost of each of said books, which shall be the exact contract price, and instruct such township treasurer to without delay notify said board of the number of each kind of text-books then required for use in the public schools of their townships, whereupon said board shall deliver to said treasurers an order upon the person, company or corporation having the contract to furnish text-books, for the number and kinds required for their respective townships, which order and the receipt of the treasurer that he has received the books mentioned therein, shall be presented to the board of supervisors of the county, who shall audit the same and draw their order upon the county treasurer of the county for the amount thereof, and said county treasurer is hereby authorized to pay the same out of the general fund of the county and charge the same to the township school treasurer in whose favor the order for such text-books was drawn. Said township treasurer shall, upon receipt of such text-books, proceed to furnish to the pupils of each school district in his township the number of books required, and shall collect therefor the exact amount for each book as is paid to the contractor for the same, which amounts shall from time to time be paid over to the county treasurer, who shall credit the same to the account of the township treasurer and return the amount to the general fund of the county. This act shall not change or interfere with the

laws now in force in regard to furnishing and paying for text-books for indigent pupils. Said township treasurer shall keep on hand at all times during the school term of his township a sufficient number and kind of text-books to supply the immediate wants of the districts in his township.

SEC. 7. Township treasurers shall receive such compensation for services under this act as may be allowed by the board of school commissioners, which amount shall be audited by the county board of supervisors, and shall, together with the compensation of the board of school book commissioners, be paid by the county treasurer from the general fund of the county.

SEC. 8. The board of supervisors of each county in the state are hereby authorized to levy a sufficient tax upon the taxable property of the county to raise a sum with which to defray the expenses incurred under the provisions of this act.

SEC. 9. All acts or parts of acts in conflict herewith are hereby repealed.

SEC. 10. 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 the city of Des Moines, Iowa.

Senator Parrott offered the following amendment: Add at the end of section 1, "and the President of each district coming under the provisions of this act, shall receive for his service the sum of \$200 per annum, payable from the contingent fund of the district."

On this the yeas and nays were demanded.

The yeas were:

Senators Cleveland, Finn, Gobble, Kelly, Lawrence, Parrott, Smith of Linn, Vale, Wolfe—9.

The nays were:

Senators Bailey, Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Davidson, Dodge, Dungan, Engle, Gatch, Groneweg, Harsh, Kegler, Kent, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Perkins, Price, Reiniger, Rich, Seeds, Smith of Wright, Stewart, Taylor, Weidman—32.

Absent or not voting:

Senators Ballingall, Bolter, Cassatt, Clyde, Funk, Hanchett, Schmidt, Shields, Woolson—9.

So the amendment was lost.

Senator Kegler offered the following amendment: Strike out all after the enacting clause and insert:

SECTION 1. The executive council, superintendent of public instruction and state printer shall constitute a board of text-book commissioners, for the purpose of placing reasonable prices thereon.

SEC. 2. A copy of any text-book offered for sale in this state, and used in public schools, shall first be placed by its manufacturer, agent or dealer, with the secretary of state, with the lowest wholesale and also lowest retail price marked thereon; and said board of commissioners shall pass upon said prices so placed thereon, and, if in their judgment said price be unreasonable, then they shall place a reasonable wholesale and retail price thereon. They shall take into consideration the quality

and style of book, and allow a reasonable price for the manufacturing of such books, and also a reasonable retail profit. And all books used in public schools, and sold in this state, shall not be sold any higher than the price so established.

SEC. 3. Said board of text-book commissioners shall cause to be published a price list, as often as they may deem necessary, of all books so placed with them, giving the style, name or title of each book, and the wholesale and retail price so approved by them; and the secretary of state shall send copies of said list to each county superintendent of this state, and to any person that may apply for them.

SEC. 4. The board of township trustees shall furnish to the board of directors of each district township or independent district a list of all indigent school children in each district, if any therein, that in their opinion are unable to pay for their text-books, or that their parents are unable to supply them with the necessary text-books; and said board of directors shall purchase the necessary books and school supplies for said indigent pupils, and pay for same out of the contingent fund, and loan same to said indigent pupils free of charge for each term.

SEC. 5. The teacher of each school shall keep an accurate list of all books so loaned to each pupil, and shall enter thereon the return of any book so loaned at the end of each term, or when no longer needed by such pupil.

SEC. 6. No county superintendent, principal or teacher of any public school, school director, or any other public school officer, shall, directly or indirectly, represent any company or firm, or act as agent, or be in any way connected with any corporation, company, firm or person for the introduction or sale of any public school books or supplies in this state.

SEC. 7. Any violation of this act by a manufacturer, firm, agent, school officer or any other person, shall be deemed a misdemeanor, and any person found guilty of such violation shall, upon conviction thereof in any court of competent jurisdiction, be fined not less than twenty-five dollars, nor more than five hundred dollars for each and every offense, and shall stand committed until such fine and accruing costs be paid.

SEC. 8. All acts or parts of acts in conflict herewith are hereby repealed.

Senator Bayless moved the previous question. On this the yeas and nays were demanded:

The yeas were:

Senators Bayless, Bills, Gobble, Hanchett, Mattoon, McVay, Mills, Perkins, Price, Smith of Wright, Stewart and Taylor—12.

The nays were:

Senators Bailey, Brower, Cleveland, Davidson, Dodge, Dungan, Engle, Finn, Groneweg, Harsh, Kegler, Mack, Meservey, Mosnat, Parrott, Reiniger, Smith of Linn, Vale, Weidman and Woolson—20.

Absent or not voting:

Senators Ballingall, Barnett, Barrett, Bolter, Caldwell, Cassatt, Clyde, Funk, Gatch, Kelly, Kent, Lawrence, McCoy, Rich, Schmidt, Seeds, Shields and Wolfe—18.

Lost, and the previous question was not seconded.

Senator Meservey moved the previous question. On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barrett, Bayless, Bills, Brower, Caldwell, Cleveland, Davidson, Dodge, Dungan, Gobble, Groneweg, Hanchett, Kegler, Kelly, Lawrence, Mack, Mattoon, McVay, Meservey, Mosnat, Perkins, Price, Reiniger, Rich, Seeds, Smith of Wright, Taylor, Vale, Weidman—30.

The nays were:

Senators Engle, Finn—2.

Absent or not voting:

Senators Ballingall, Barnett, Bolter, Cassatt, Clyde, Funk, Gatch, Harsh, Kent, McCoy, Mills, Parrott, Schmidt, Shields, Smith of Linn, Stewart, Wolfe Woolson—18.

Carried, and the previous question was seconded.

On the question, shall the main question be now put? the yeas and nays were demanded :

The yeas were:

Senators Bailey, Barrett, Bayless, Bills, Brower, Caldwell, Cleveland, Davidson, Dodge, Dungan, Gobble, Groneweg, Hanchett, Kegler, Kelly, Kent, Mack, Mattoon, McCoy, McVay, Meservey, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Seeds, Smith of Linn, Smith of Wright, Taylor, Vale—32.

The nays were:

Senator Finn—1.

Absent or not voting:

Senators Ballingall, Barnett, Bolter, Cassatt, Clyde, Engle, Funk, Gatch, Harsh, Lawrence, Mills, Schmidt, Shields, Stewart, Weidman, Wolfe, Woolson—17.

So the motion was ordered put.

The question now being on the adoption of the amendment offered by Senator Kegler, it was lost.

The question now being on the adoption of the substitute offered by Senator Hanchett, the yeas and nays were demanded.

The yeas were:

Senators Barnett, Engle, Finn, Hanchett, Kelly, Price, Weidman, Wolfe—8.

The nays were:

Senators Bailey, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Davidson, Dodge, Dungan, Gobble, Groneweg, Harsh, Kegler, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Reiniger, Seeds, Smith of Linn, Smith of Wright, Taylor, Vale, Woolson—33.

Absent or not voting:

Senators Ballingall, Cassatt, Clyde, Funk, Gatch, Rich, Schmidt, Shields, Stewart—9.

So the substitute 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 Bailey, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Davidson, Dodge, Dungan, Engle, Gobble, Grone-weg, Hanchett, Harsh, Kegler, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Perkins, Price, Reiniger, Rich, Seeds, Smith of Linn, Taylor, Vale, Wolfe and Woolson—36.

The nays were:

Senators Finn, Kelly, Kent, Parrott and Weidman—5.

Absent or not voting:

Senators Ballingall, Cassatt, Clyde, Funk, Gatch, Schmidt, Shields, Smith of Wright and Stewart—9.

So the bill was ordered read a third time to-morrow.

Senator Finn explained his vote as follows:

MR. PRESIDENT—Two years ago I voted against a similar measure, and gave my reasons in the journal. In addition to those offered I find this bill to be favored and urged by the agents and friends of the school book syndicate that is now controlling the text-book market of Iowa. In my judgment it but gives them a chance to force their books on the patrons of the schools by a contract with the directors at such prices as they can induce them to make, whether such directors are competent judges of books, or informed as to the fairness of prices. It gives the directors absolute power to bind the patrons of the schools by any contract, however ill advised and unjust to them. The bill does not furnish any relief for those who, having no homes of their own, may be compelled, as tenants, to move from one district to another, and, by finding different text-books in each, are burdened with the expense of purchasing new or seeing their children lose their best, and possibly only, heritage of education. The bill, in my judgment, is worse than none. I vote no.

GEO. L. FINN, *Senator 6th District.*

Senator Parrott explained his vote as follows:

Believing that the bill is imperfect, and that most of its provisions will become inoperative because of their imperfections, I am compelled to vote no.

MATT PARROTT, *Senator 38th District.*

Senator McVay explained his vote as follows:

MR. PRESIDENT—I desire to vote aye on the engrossment of this bill, believing that at this late date no other bill on this subject will be acted on by the 23d General Assembly.

J. D. MCVAY,

On Engrossment of House File 200.

REPORT OF STANDING COMMITTEES.

Senator Bayless, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was re-referred Senate file No. 264, a bill for an act requiring standard United States bunting flags to be placed on all school buildings in towns and cities of more than one thousand inhabitants, and providing for military instruction, 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.

F. D. BAYLESS, *Chairman*.

On motion of Senator Seeds, the Senate adjourned until 9 o'clock A. M. Monday.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, April 14, 1890. }

The Senate met in regular session at 9 o'clock A. M.

Lieutenant-Governor Poyneer in the chair.

Prayer by Rev. W. T. McConnell, pastor United Presbyterian Church.

Senator Hanchett filed the following:

I hereby give notice that I move to reconsider the vote by which substitute for House file number two hundred, was passed to its third reading.

L. S. HANCHETT.

Senator Davidson, as chairman of the Committee on Engrossed Bills, was excused from attendance at the sessions of the Senate.

REPORTS OF STANDING COMMITTEES.

Senator McCoy, from the Committee on Sifting Bills, submitted the following report:

MR. PRESIDENT—Your Special Committee on Sifting Bills, to whom were referred the bills and other matters now pending before the Senate, beg leave to submit the following partial report:

That Senate files Nos. 127, 138, 244 and 128 be placed in charge of the Committee on Appropriations, to be reported to the Senate by the Chairman of said Appropriation Committee, at such times as he may report the appropriation bills to the Senate. *Provided, however*, that bills so referred which are of a private nature shall not take precedence over bills reported to the Senate by the Sifting Committee.

BEN MCCOY, *Chairman*.

Senator McCoy, from Committee on Suppression of Intemperance, submitted the following report:—

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred petition, relating to a law in reference to the violation of the Sabbath, with bill for an act accompanying them which has not, however, been introduced, 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, as it is too late in the session to perfect it.

BEN. MCCOY, *Chairman*.

Ordered passed on file.

Senator McCoy, from Committee on Sifting Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Sifting Bills, to whom were referred the bills and other matters now before the Senate, beg leave to report that they have

had the same under consideration, and a majority of said committee have instructed me to report as follows:

That Senate file No. 419, calendar No. 407, be placed in charge of the Committee on Appropriations, to be reported to the Senate by the chairman of said Committee along with the appropriation bills.

That the following schedule of bills be the order of business for the Senate, to be considered in the order indicated, immediately on convening this morning, Monday, April 14.

House file No. 200.

House file No. 374, calendar No. 393.

Substitute for House file No. 274.

House file No. 166.

Senate file No. 342, calendar No. 157.

Senate file No. 377.

Substitute for House file No. 216.

One concurrent resolution relative to extra printing.

Senate file No. 312.

That the following legalizing acts be considered immediately after the above, the same not having been considered Saturday evening, as provided for in previous report.

House file No. 505.

House file No. 506.

Senate file No. 408.

House file No. 175.

House file No. 331.

House file No. 343.

House file No. 365.

House file No. 467.

House file No. 513.

House file No. 431.

And your committee will make further report after the above schedule and the appropriation bills have been disposed of.

BEN. MCCOY, *Chairman.*

BILLS ON THIRD READING.

The substitute for House file No. 200, a bill for an act authorizing and empowering the boards of directors of school districts to purchase text-books and allowing the electors of districts and counties to decide the question of uniformity and to provide means and authority for purchase of school books and supplies.

Senator Hanchett moved to reconsider the vote by which the bill was ordered to a third reading.

Senator Meservey moved to lay the motion on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barrett, Bayless, Brower, Caldwell, Cleveland, Davidson, Dodge, Dungan, Funk, Gatch, Gobble, Groneweg, Harsh,

Kent, Mack, Mattoon, McCoy, Meservey, Mills, Reiniger, Schmidt, Seeds, Shields, Smith of Wright, Stewart, Taylor, Vale, Woolson—29.

The nays were:

Senators Barnett, Bills, Clyde, Finn, Hanchett, Kegler, Kelly, Mosnat, Parrott, Perkins, Price, Rich, Smith of Linn, Weidman, Wolfe—15.

Absent or not voting:

Senators Ballingall, Bolter, Cassatt, Engle, Lawrence, McVay—6.

So the motion prevailed.

The bill was then read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bailey, Barnett, Barrett, Bills, Bolter, Brower, Caldwell, Cleveland, Davidson, Dodge, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Harsh, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Price, Reiniger, Seeds, Smith of Wright, Taylor, Vale, Woolson—32.

The nays were:

Senators Ballingall, Cassatt, Clyde, Finn, Hanchett, Kegler, Kelly, Kent, Parrott, Perkins, Rich, Schmidt, Weidman, Wolfe—14.

Absent or not voting:

Senators Bayless, Shields, Smith of Linn, Stewart—4.

So the bill passed and the title was agreed to.

Senator Funk offered the following explanation of his vote:

This measure is by no means as I would have it. Believing, however, that it will afford some degree of relief I accept it in the closing hours of the session rather than tenaciously adhere to my individual views and contribute to the defeat of all school book legislation.

A. B. FUNK, *Senator 47th District.*

Senator Kelly explained his vote as follows:

MR. PRESIDENT—For the reason that the school book bill which has just passed the Senate gives certain powers to the school directors which I believe should be given to the people of said district, and for the further reason that if this bill is good for our farmers it should apply to our cities and towns as well as to country districts, for these and other reasons I vote no.

M. J. KELLY, *Senator 25th District.*

Senator Taylor explained his vote as follows:

In voting for this measure without amendments, I do so for the reason I believe it is the last chance at this session to secure legislation on this subject. I would be glad had we time to see proper amendments made to this bill as follows:

A vote of the district before directors are empowered to contract for school books.

A vote of the county after a series of school text-books have been selected by the county board of education for the county before the close of the contract, said vote

to determine the question as to the county adopting or rejecting said selected series of books.

Believing the law will in the future be perfected, I vote aye.

W. H. TAYLOR, *Senator 3d District.*

Senator Woolson explained his vote as follows:

I vote "aye" on the passage of this bill; not that I am satisfied with the bill or believe it will give any large degree of relief to the people of the State. But, being in favor of the general plan of this bill, and being convinced it is the only measure that can be passed this session, and that it contains no provisions which can work any serious injury meanwhile, I am willing to give it a trial, earnestly hoping that the next General Assembly will give to the State a school text-book law which will confer on each school district the right, if it so elect, to furnish free text-books to its pupils, and also making the necessary amendments to give the State a school text-book law fully equipped for the best interests of the State.

JNO. S. WOOLSON, *Senator 10th District.*

Senator Hanchett explained his vote on the school text-book bill as follows:

MR. PRESIDENT—Because it is a well known fact that the bill was prepared by and solely in the interest of the school book monopolies, and the passage thereof about to be forced upon the people by the lobbyist of said monopolies, the presence of which upon this floor is and has been well known to every Senator of the Twenty-third General Assembly, and as every measure in this bill has been created by and in the interest of monopolies, is against the best interest of the people at large. I therefore vote no.

L. S. HANCHETT, *Senator 39th District.*

Senator Barnett explained his vote as follows:

MR. PRESIDENT—I vote for this bill under protest, feeling that it will not give the relief that the people want. But knowing full well that it is the only bill on text-books that can possibly pass this session, I vote aye.

J. H. BARNETT, *Senator 11th District.*

Senator Bills explained his vote as follows:

MR. PRESIDENT—The provisions of this bill do not meet my wishes. In my opinion it should have been amended in many points, but at this late date, believing that it is this or nothing, and desiring to give the people some relief from the high prices of school books, and hoping that this measure may accomplish something in that direction, I vote aye.

E. B. BILLS, *Senator 24th District.*

Senator Cleveland explained his vote as follows:

APRIL 14, 1890.

MR. PRESIDENT—In explanation of my vote upon the passage of substitute for House file No. 200, providing for district and county text-book purchase, I desire to state that this bill is not satisfactory to me, and I would like to have seen it amended, and endeavored by my vote to perfect it so far as possible. Every

amendment offered was defeated, and a vote being forced it became a question of the passage of this bill, in its incomplete condition, or no school book legislation whatever this session. Believing, however, that it is a step in the right direction, I vote aye.

W. F. CLEVELAND, *Senator 18th District.*

Senator Harsh explained his vote as follows:

MR. PRESIDENT—I vote “aye,” believing this is the best that can be done at this session. I regret that there is not in the bill an optional free text-book provision. I do not think the bill will allow the principle of purchase by wholesale by districts a fair chance to demonstrate its merits, but hope sufficient will be developed to make this bill the basis of future legislation. I have voted against all amendments, knowing that we are within one day of the end of the session, and as this bill has already passed the House after a contest of several days, it must be passed the Senate as it is if there is to be any school book legislation at this session.

J. B. HARSH, *Senator 5th District*

Senator Meservey explained his vote as follows :

I am not satisfied with substitute for H. F. No. 200, believing it to be imperfect in many respects, but I am confident it will give the people some relief from the high prices now paid for school books, and that at this late day in the session no other and better bill can possibly be enacted into a law.

A. F. MESERVEY, *Senator 46th District.*

Senator Weidman explained his vote as follows:

I cannot support the bill under consideration, House file No. 200, as it legalizes the acts of an army of sharks in selling for the school book monopoly a lot of stale worthless books to school directors, and prevents the people having any voice or choice in the matter, and for the further reason that the friends of this bill have refused to allow this bill perfected or amended; therefore I vote no.

THOS. WEIDMAN, *Senator 8th District.*

Senator Engle explained his vote as follows:

We are now within a few hours of a final adjournment. I regard this as a very imperfect bill, but better than no legislation. I am in favor of State uniformity with optional State publications and free. This school book bill, in my opinion, will give the people but little if any relief from the extortionate charges of the pooled publishing houses. State publication will free the people from the slavery and extortion of the school book syndicates.

I vote for this bill because I can do no better at this late hour.

PERRY ENGLE, *29th Senatorial District.*

Senator Perkins explained his vote as follows:

Upon a thorough examination of House file No. 200, I have concluded that it contains so many objectionable features as to outweigh the few good points em-

bodied in it, that it enforces an unwelcome law upon the counties for five years, thus precluding good legislation in two years hence, and for that reason I vote no.

GEO. W. PERKINS, *Senator 7th District.*

Senator Reiniger explained his vote as follows:

I consider this bill imperfect, but as it is the only bill on this subject that can pass at this session, and has some good features in it, I vote aye.

ROB'T G. REINIGER, *Senator 44th District.*

April 14, 1890.

Senator Kegler thus explained his vote as follows:

MR. PRESIDENT—This bill, if it becomes a law, applies to township or country schools only, and causes quite an expense to the county without much benefit, as only a small portion of books are used by township districts, and I see no reason why townships should not be entitled to the same privilege as cities and towns in selecting their text-books. I am opposed to any sectional legislation, and vote no.

A. G. KEGLER, *Senator 23d District.*

Senator Bailey filed the following explanation of his vote:

I vote aye on this bill, not because it is satisfactory in its provisions, but because I believe some of its provisions are essential and will be helpful to many districts and is one step in the right direction.

A. K. BAILEY, *Senator 42d District.*

Senator McVay explained his vote as follows:

MR. PRESIDENT—I am now, and have been for years, a firm believer in State uniformity of text-books for the common schools of the State of Iowa, and knowing well that the people of Iowa are demanding at our hands some legislation on this subject, and hoping that this bill may give them some relief, and believing that unless this bill is enacted into a law there will be no legislation on this subject by this General Assembly, I vote aye.

J. D. McVAY, *Senator 27th District.*

Senator Gobble explained his vote as follows:

The bill in question seems to me to be in many features almost impracticable, but as it is impossible at this late hour to pass any other bill, I vote aye, believing that it will have to be amended by the next General Assembly.

J. M. GOBBLE, *Senator 20th District.*

Senator Finn explained his vote as follows:

MR. PRESIDENT—This bill, in my judgment, ought to be entitled an act to put the people of Iowa more completely in the power of the school book syndicate. Believing this will be its only effect, I vote no.

G. L. FINN, *Senator 6th District.*

Senator Dungan explained his vote as follows:

I have been earnestly in favor of affording legislative relief against exorbitant cost of text books and at the same time preserve to the people the inalienable

right of determining for themselves the character of the text books which shall be placed in the hands of their children, and believing that district purchase and free text books is the only system which will accomplish this and that the bill under consideration leaves out the most important feature, free text books, it is not what I desire, but as it is a step in the right direction and the only measure which can be passed this session I vote aye. In my judgment a school to be of the highest efficiency must have the text books as a part of its equipment. The school house, the furniture, the teacher, the books and other apparatus should be furnished in the same way. Books will be cheap and frequent purchases avoided.

WARREN S. DUNGAN, *Senator 4th District.*

Senator Dodge explained his vote as follows:

While casting my vote for the passage of "substitute for House file No. 200," being a bill relative to the purchase of text-books, I desire to make a brief explanation: This bill passed the House by a large majority and was considered by the Senate last Saturday night for the first time. The friends of the measure fearing that its opponents would defeat any school book legislation, opposed all amendments and consequently the bill passed the Senate this morning in the form in which it came from the House.

The particular, and possibly the only feature of the bill I favor, is that it empowers boards of directors of school districts to purchase text-books and supplies. I feel that this will give some relief to school districts located outside of cities, who are compelled to pay extortionate prices for school books. And if this benefit does accrue, I feel that I have done right in voting for this measure. I do not care to occupy space in this journal by a lengthy criticism of the parts of the bill I do not favor. Therefore, fearing a vote against the bill may be construed as opposition to any school book legislation, I am compelled to accept the bad with the good and favor the passage of this measure.

W. W. DODGE, *Senator 9th District.*

Senator Gatch offered the following:

Resolved, That hereafter, until the adjournment of this General Assembly, not more than fifteen minutes, exclusive of time occupied for roll calls, shall be allowed for the consideration of any bill, resolution or other matter before the Senate for its action, and that no oral explanation of any vote shall be allowed during roll calls, but explanations may be made in writing at any time on the day when the vote is cast.

Objection was made to immediate consideration.

Senator Gatch moved that the rules be suspended and the resolution considered at once.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Barrett, Bayless, Bills, Brower, Dodge, Dungan, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kelly, Lawrence, McCoy, Mills, Parrott, Perkins, Reiniger, Rich, Shields, Smith of Wright, Vale—25.

The nays were:

Senators Barnett, Bolter, Cassatt, Cleveland, Clyde, Engle, Finn, Kegler, McVay, Mosnat, Price, Seeds, Taylor, Weidman, Woolson—15.

Absent or not voting:

Senators Caldwell, Davidson, Kent, Mack, Mattoon, Meservey, Schmidt, Smith of Linn, Stewart, Wolfe—10.

Not having received a two-thirds majority the motion was lost, and the resolution was passed over till tomorrow.

Senator Meservey offered the following:

Resolved, That explanations of votes cannot be made during roll call, but that all explanations of votes can be made in writing and placed in the journal without request being made therefor, provided said written explanation shall be sent to Secretary's desk at once.

Adopted.

On motion of Senator Wolfe, House file No. 374, a bill for an act to amend sections 1695 and 1696, chapter 7, title 12, of the Code, relating to the Iowa Institution for the deaf and dumb, with report of committee recommending indefinite postponement, 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gobble, Groneweg, Harsh, Kegler, Kelly, Kent, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Schmidt, Seeds, Shields, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—42.

The nays were—none.

Absent or not voting:

Senators Bolter, Gatch, Hanchett, Lawrence, Mack, Mattoon, Rich, Smith of Linn—8.

So the bill passed and title was agreed to.

BILLS RECOMMENDED BY THE SIFTING COMMITTEE.

House file No. 274, a bill for an act to prevent employes and laborers in their claims for wages, was taken up and considered.

On the question, shall the bill pass?

The yeas were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter,

Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dungan, Engle, Finn, Funk, Gobble, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—46.

The nays were—none:

Absent or not voting:

Senators Dodge, Gatch, Hanchett, Smith of Linn—4.

So the bill passed and the title was agreed to.

Senator Dodge filed the following:

DES MOINES, IOWA, April 14, 1890.

Being temporarily absent when the vote was taken on House file 274, being an act "to protect employes and laborers in their claims for wages," I desire herein to state that if I had been present when the vote was taken I would have voted aye.

W. W. DODGE, *Senator 9th District.*

House file No. 166, a bill for an act to repeal chapter 45 of the laws of the 17th General Assembly, and to enact a substitute therefor, to establish a weather and crop service and for the collection and dissemination of crop statistics and meteorological data, was taken up and considered.

Senator Price moved to amend by striking out all after section 1.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bolter, Cassatt, Groneweg, Kegler, Mattoon, Price, Rich, Taylor—9.

The nays were:

Senators Ballingall, Bayless, Bills, Brower, Caldwell, Cleveland, Clyde, Dodge, Dungan, Engle, Funk, Gobble, Hanchett, Harsh, Kelly, Kent, Lawrence, Mack, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Reiniger, Schmidt, Seeds, Shields, Smith of Wright, Stewart, Vale, Weidman, Wolfe, Woolson—36.

Absent or not voting:

Senators Bailey, Barrett, Davidson, Finn, Gatch, Smith of Linn—6.

So the amendment was lost.

Senator Meservey 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 Ballingall, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Dodge, Dungan, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon,

McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Reiniger, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Taylor, Vale, Weidman, Wolfe, Woolson—41.

The yeas were:

Senators Barnett, Cassatt, Engle, Price, Rich—5.

Absent or not voting:

Senators Bailey, Davidson, Finn, Stewart—4.

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 herewith return H. F. No. 79 as per request of your honorable body.

Also, the House has passed S. F. No. 333, a bill for an act to appropriate funds to defray expenses of an Iowa exhibit at the World's Fair, to be held in Chicago, A. D., 1892.

Also, that the House has refused to pass S. F. No. 339, a bill for an act to appropriate money to re-imburse the Commissioners of Pharmacy for money paid by them and expenses incurred in the enforcement of the law.

J. A. SHELTON, 1st Ass't Clerk.

Senator Price offered the following:

Resolved, That the Senate take up appropriation bills at this time and that no other business be taken up until all such bills are acted upon.

Immediate consideration being objected to, Senator Price moved to suspend the rule.

Lost, and the resolution was passed over under the rule.

HOUSE MESSAGES.

House file No. 306, a bill for an act relating to the drawing of moneys from the State treasury.

Read first and second times, and was then taken up and considered.

Senator Barrett moved to insert before the word "appropriation" in line 1, section 4, printed bill, the word "special."

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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler,

Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Vale, Weidman Wolfe—46.

The nays were—none.

Absent or not voting:

Senators Dodge, McVay, Taylor and Woolson—4.

So the bill passed and the title was agreed to.

House file No. 425, a bill for an act making an appropriation to help discharged convicts to an honest life.

Read first and second times, and was taken up and considered.

Senator Gatch 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bolter, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dungan, Finn, Funk, Goble, Groneweg, Hanchett, Harsh, Kelly, Lawrence, Mack, Mattoon, McCoy, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Seeds, Shields, Smith of Linn, Smith of Wright, Vale, Weidman, Wolfe—38.

The nays were—none.

Absent or not voting:

Senators Bills, Brower, Dodge, Engle, Gatch, Kegler, Kent, McVay, Schmidt, Stewart, Taylor, Woolson—12.

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:

S. F. No. 399, a bill for an act to legalize the official acts of W. S. Paull as acting deputy recorder of Worth county, Iowa.

S. F. No. 252, a bill for an act to amend chapter 16 of the acts of the 22d G. A., relating to improvements of and granting additional powers to cities of the first and second class.

Also the House has concurred in Senate amendments to H. F. Nos. 263 and 514.

J. A. SHELTON, 1st Asst. Clerk.

The Journal of Friday, April 11, was corrected and approved.

The Senate resumed consideration of House messages.

HOUSE MESSAGES.

House file No. 44, a bill for an act making appropriation for the Iowa industrial school, boys' department, at Eldora, Iowa.

Read first and second times and 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 Bailey, Ballingall, Barnett, Barrett, Bolter, Brower, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Finn, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Mack, Mattoon, McCoy, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Vale, Weidman, Wolfe, Woolson—42.

The nays were—none.

Absent or not voting:

Senators Bayless, Bills, Caldwell, Cassatt, Funk, Lawrence, McVay, Taylor—8.

So the bill passed and the title was agreed to.

Substitute for House file No. 139, a bill for an act making appropriations for the Hospital for the Insane at Mt. Pleasant, Iowa.

Read first and second times, and 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 Bailey, Barnett, Barrett, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dodge, Dungan, Finn, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kelly, Kent, Lawrence, Mattoon, McCoy, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—42.

The nays were—none.

Absent or not voting:

Senators Ballingall, Bayless, Engle, Funk, Kegler, Mack, McVay, Shields—8.

So the bill passed and the title was agreed to.

Substitute for House file No. 273, a bill for an act making appro-

priations for the Hospital for the Insane at Clarinda, Iowa, read first and second times and was taken up and considered.

Senator Gatch 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 Bailey, Ballingall, Barnett, Barrett, Brower, Caldwell, Cleveland, Davidson, Dodge, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Harsh, Kelly, Kent, Lawrence, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Schmidt, Seeds, Smith of Linn, Stewart, Taylor, Vale Weidman, Wolfe, Woolson—38.

The nays were: *

Senators Bolter, Kegler, Rich—3.

Absent or not voting:

Senators Bayless, Bills, Cassatt, Clyde, Hanchett, Mattoon, Mosnat, Shields, Smith of Wright—9.

So the bill passed and the title was agreed to.

Senator Kegler explained his vote as follows:

MR. PRESIDENT—I cannot vote to appropriate \$180,000 for one State institution that is already in well running order, especially when \$130,000 thereof shall be expended in the construction of one wing for said institution, while without doubt one half of said amount would be ample for that purpose; therefore vote no.

A. G. KEGLER, *Senator 23d District.*

Substitute for House file No. 195, a bill for an act making appropriation for the purpose of improving the grounds of the new capitol. Read first and second times and was taken up and considered.

Senator Bolter moved to amend by striking out the words "one hundred," in line two, section 1, original bill, and insert the words "seventy-five," in lieu thereof.

Senator Taylor moved to amend the amendment by striking out the words "seventy-five" and inserting the word "fifty" in lieu thereof.

Lost.

The question now being on the adoption of the original amendment, the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Barnett, Bolter, Cassatt, Clyde, Dodge, Engle, Finn, Groneweg, Kegler, Mack, Price, Stewart, Taylor—14.

The nays were:

Senators Bailey, Barrett, Brower, Caldwell, Cleveland, Dungan, Funk,

Gatch, Gobble, Hanchett, Harsh, Kelly, Kent, Lawrence, Mattoon, McCoy, McVay, Mills, Parrott, Perkins, Reiniger, Schmidt, Seeds, Shields, Smith of Linn, Vale, Weidman, Wolfe, Woolson—29.

Absent or not voting:

Senators Bayless, Bills, Davidson, Meservey, Mosnat, Rich, Smith of Wright—7.

So the amendment was lost.

Senator Mack explained his vote as follows:

From the statements made by the chairman of the Committee on Appropriations upon this floor, it appears that the aggregate appropriations recommended by his committee will absorb the whole State revenue for the next two years on the basis of a $2\frac{1}{2}$ mill levy for 1890, and a 2 mill levy for 1891, and will leave no money in the treasury to pay the expenses of our next General Assembly, which will necessarily place the State in debt for such expense, unless a $2\frac{1}{2}$ mill levy is voted for 1891, and as I am opposed to the levy of an extra $\frac{1}{2}$ mill for a longer time than for the year 1890, I vote aye on this amendment.

EDGAR E. MACK, *Senator 50th District.*

Senator Finn thus explained his vote:

MR. PRESIDENT—I should have been entirely willing to have voted against this amendment, and have felt confident that the Executive Council could be trusted as in the past (when composed entirely of republicans) to expend no more of the appropriation than was actually necessary to properly finish the work of capitol building and improvement. But, in view of the fact that the Council has now a representative of the other party as a member and great distrust of it, as it is now composed, has been expressed by Senators of the Democratic party here, who ought to know something of the probable effects of a representative of their party on said Council, I yield to their supposed judgment and vote aye.

G. L. FINN.

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 Bailey, Ballingall, Barnett, Barrett, Brower, Cleveland, Clyde, Davidson, Dodge, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Mills, Mosnat, Perkins, Price, Reiniger, Seeds, Shields, Smith of Linn, Stewart, Vale, Weidman, Wolfe, Woolson—38.

The nays were:

Senators Bolter, Engle—2.

Absent or not voting:

Senators Bayless, Bills, Caldwell, Cassatt, Meservey, Parrott, Rich, Schmidt, Smith of Wright, Taylor—10.

So the bill passed and the title was agreed to.

Substitute for House file No. 197, a bill for an act making appropriation for Benedict Home, at Des Moines, Iowa.

Read first and second times and was taken up and considered.

Senator Bolter moved to amend by striking out the words "six," in line 3, original bill, and inserting the word "three" in lieu thereof.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bolter, Brower, Dodge, Engle, Groneweg, Hanchett, Kegler, Mattoon, Rich, Taylor, Wolfe—12.

The nays were:

Senators Bailey, Barrett, Bayless, Bills, Cleveland, Clyde, Davidson, Dungan, Finn, Gatch, Harsh, Kelly, Kent, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Reiniger, Seeds, Shields, Smith of Wright, Vale, Weidman, Woolson—27

Absent or not voting:

Senators Ballingall, Caldwell, Cassatt, Funk, Gobble, Lawrence, Mosnat, Price, Schmidt, Smith of Linn, Stewart—11.

So the amendment was 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 Bailey, Barnett, Barrett, Bayless, Bills, Caldwell, Cleveland, Clyde, Davidson, Dungan, Finn, Gatch, Gobble, Hanchett, Harsh, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Reiniger, Seeds, Shields, Smith of Wright, Taylor, Vale, Weidman, Woolson—34.

The nays were:

Senators Bolter, Brower, Dodge, Engle, Groneweg, Kegler, Price, Rich, Wolfe—9.

Absent or not voting:

Senators Ballingall, Cassatt, Funk, Mosnat, Schmidt, Smith of Linn, Stewart—7.

So the bill passed and the title was agreed to.

Senator Engle explained his vote as follows:

MR. PRESIDENT—I am satisfied that the Benedict Home is an institution in the line of humanity. I fail to see any constitutional rights we have to vote appropriations to private institutions. When the State votes appropriations to institutions it should have at least some control of said institutions; we might as well vote ap-

propriations for many Catholic hospitals, that like the Benedict Home are in the line of humanity. I vote against the appropriation.

PERRY ENGLE, *Senator 29th District.*

Senator Groneweg explained his vote as follows:

MR. PRESIDENT—I cannot vote for this appropriation because the Benedict Home is not a State institution, and I am of the opinion that the legislature has no power to vote money to private institutions, however meritorious they may be; therefore I vote no.

WM. GRONEWEG, *Senator 19th District.*

PETITIONS AND MEMORIALS.

Senator Kegler presented memorial of A. W. Drips Post No. 74, G. A. R., requesting appropriation for soldiers' monument.

Referred to Committee on Appropriations.

REPORTS OF STANDING COMMITTEE.

Senator Davidson, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate file No. 313, a bill for an act to amend section one (1), chapter 137, laws of the Nineteenth General Assembly, relating to registered pharmacists.

Also, Senate file No. 60, a bill for an act to repeal chapter 69, laws of the Sixteenth General Assembly, and to enact a substitute therefor, relating to vagrants.

D. B. DAVIDSON, *Chairman.*

The Senate adjourned until 1:30 P. M.

AFTERNOON SESSION.

The Senate met at 2 o'clock P. M.

Lieut-Gov. Poyneer in the chair.

BILLS REPORTED BY SIFTING COMMITTEE.

Senate file No. 342, a bill for an act to amend section 4783, of chapter 200, of the acts of the Eighteenth General Assembly, relating to the compensation of the officers of the penitentiaries, with report of committee recommending amendments and when adopted it do pass, was taken up and considered.

Senator Bills moved as a substitute for the committee amendment

the following: Insert before the word "chapter" in line 1, printed bill, the words "the Code as re-enacted by."

Adopted.

The committee amendments as amended were 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, Bayless, Bills, Brower, Cleveland, Clyde, Dungan, Funk, Gatch, Gobble, Harsh, Kelly, Kent, Mack, McCoy, McVay, Meservey, Mosnat, Parrott, Perkins, Price, Reiniger, Seeds, Shields, Vale, Weidman, Woolson—27.

The nays were:

Senators Bolter, Davidson, Engle, Stewart—4.

Absent or not voting:

Senators Bailey, Dodge, Lawrence, Smith of Linn, Ballingall, Finn, Mattoon, Smith of Wright, Barnett, Groneweg, Mills, Caldwell, Hanchett, Rich, Taylor, Cassatt, Kegler, Schmidt, Wolfe—19.

Senator Bills moved to amend the title of the bill by inserting before the word "chapter" the words "the Code as re-enacted by."

Adopted.

So the bill passed and the title, as amended, was agreed to.

Senate file No. 377, a bill for an act to amend section 312 of the Code, in relation to issuing bonds by counties in certain cases, with report of committee recommending it do pass, was taken up and considered.

Senator Shields 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 Bailey, Barnett, Barrett, Bayless, Bills, Bolter, Cleveland, Clyde, Davidson, Dodge, Dungan, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Schmidt, Seeds, Shields, Stewart, Vale, Weidman, Wolfe—38.

The nays were—none.

Absent or not voting:

Senators Ballingall, Brower, Caldwell, Cassatt, Engle, Finn, Kegler, Rich, Smith of Linn, Smith of Wright, Taylor, Woolson—12.

So the bill passed and the title was agreed to.

Substitute for House file No. 216, a bill for an act to extend to cities of the second class having more than 3,000 population the provisions of chapter 162, acts of the 17th General Assembly, 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 considered engrossed and 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 Bailey, Barnett, Barrett, Bayless, Bills, Bolter, Cleveland, Clyde, Davidson, Dodge, Dungan, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Rich, Schmidt, Seeds, Shields, Stewart, Weidman, Wolfe, Woolson—38.

The nays were—none.

Absent or not voting:

Senators Ballingall, Brower, Caldwell, Cassatt, Engle, Finn, Kegler, Reiniger, Smith of Linn, Smith of Wright, Taylor, Vale—12.

So the bill passed and the title was agreed to.

Concurrent resolution, relative to printing a second edition of the report of the railway commissioners, with report of committee recommending it do pass, was taken up, considered, and adopted.

Senate file No. 312, a bill for an act in relation to printing, binding and distribution of public reports, with report of committee recommending it do pass, 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 Bailey, Barrett, Bills, Brower, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Funk, Gobble, Groneweg, Hanchett, Harsh, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Vale, Weidman, Wolfe, Woolson—35.

The nays were—none.

Absent or not voting:

Senators Ballingall, Barnett, Bayless, Bolter, Cassatt, Engle, Finn, Gatch, Kegler, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor—15.

So the bill passed and the title was agreed to.

The hour having arrived for consideration of appropriation bills, they were taken up.

Substitute for House file No. 279, a bill for an act making appropriations for the State Agricultural College, read first and second times and 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 Bailey, Barnett, Barrett, Bills, Bolter, Caldwell, Cleveland, Clyde, Davidson, Dungan, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mosnat, Parrott, Perkins, Price, Reiniger, Schmidt, Seeds, Shields, Smith of Linn, Stewart, Vale, Weidman, Woolson—57.

The nays were:

Senator Rich—1.

Absent or not voting:

Senators Ballingall, Bayless, Brower, Cassatt, Dodge, Engle, Finn, Kegler, Mills, Smith of Wright, Taylor, Wolfe—12.

So the bill passed and the title was agreed to.

Substitute for House file No. 110, a bill for an act making appropriations for the College for the Blind at Vinton, Iowa.

Read first and second times, and 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 Bailey, Ballingall, Barnett, Barrett, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dungan, Engle, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mosnat, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—42.

The nays were—none.

Absent or not voting:

Senators Bayless, Cassatt, Dodge, Finn, Funk, Mills, Parrott, Smith of Wright—8.

So the bill passed and the title was agreed to.

Substitute for House file No. 22, a bill for an act making appropriations for the Hospital for the Insane, at Independence, Iowa.

Read first and second times and 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 Bailey, Ballingall, Barrett, Bayless, Bills, Bolter, Caldwell, Cleveland, Clyde, Davidson, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Parrott, Perkins, Reiniger, Rich, Schmidt, Seeds, Smith of Linn, Smith of Wright, Stewart, Vale, Weidman, Woolson—38.

The nays were—none.

Absent or not voting:

Senators Barnett, Brower, Cassatt, Dodge, Finn, Kent, Mills, Mosnat, Price, Shields, Taylor, Wolfe—12.

So the bill passed and the title was agreed to.

Substitute for House file No. 24, a bill for an act making appropriation for the Institution for Feeble-Minded Children at Glenwood, Iowa.

Read first and second times and 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 Bailey, Bayless, Bills, Bolter, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kelly, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Reiniger, Rich, Schmidt, Seeds, Smith of Linn, Smith of Wright, Stewart, Vale, Weidman, Wolfe, Woolson—40.

The nays were: Senator Kegler—1.

Absent or not voting:

Senators Ballingall, Barnett, Barrett, Brower, Finn, Kent, Price, Shields, Taylor—9.

So the bill passed and the title was agreed to.

Senator Kegler explained his vote as follows:

MR. PRESIDENT—I am in favor of appropriating all money necessary for any State institution, and especially so for the Institution of the Feeble-Minded at Glenwood, but I fear that this institution has not been managed as it ought to have been, and ought to be investigated before any further appropriations are made or money expended, therefore I vote no.

A. G. KEGLER, *Senator 23d District.*

Substitute for House file No. 45, a bill for an act making appropriations for the soldiers' home at Marshalltown, Iowa.

Read first and second times and was taken up and considered.

Senator Mills moved to amend as follows:

Add as paragraph eight of section "one for contingent fund, two thousand dollars (\$2,000)."

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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—47.

The nays were—none.

Absent or not voting:

Senator Finn, Lawrence, Shields—3.

So the bill passed and the title was agreed to.

Substitute for House file No. 278, a bill for an act making an appropriation for the State University at Iowa City.

Read first and second times and was taken up and considered.

Senator Price moved to strike out of paragraph 1, section 1, the figures "\$45,000," and insert the figures, "\$25,000," in lieu thereof.

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Barnett, Barrett, Cassatt, Davidson, Dungan, Engle, Finn, Groneweg, Kegler, Mills, Perkins, Price, Reiniger, Seeds, Smith of Wright, Stewart, Taylor, Weidman—19.

The nays were:

Senators Bayless, Bolter, Brower, Caldwell, Cleveland, Clyde, Dodge, Funk, Gatch, Gobble, Hanchett, Harsh, Kelly, Lawrence, Mattoon, McCoy, McVay, Meservey, Mosnat, Parrott, Rich, Schmidt, Shields, Smith of Linn, Wolfe, Woolson—26.

Absent or not voting:

Senators Bailey, Bills, Kent, Mack, Vale—5.

So the amendment was lost.

Senator Stewart 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 Bailey, Ballingall, Bayless, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Vale, Wolfe, Woolson—39.

The nays were:

Senators Barnett, Cassatt, Engle, Price, Stewart, Taylor, Weidman—7.

Absent or not voting:

Senators Barrett, Bills, Harsh, Reiniger—4.

So the bill passed and title was agreed to.

Senator McCoy moved that when the Senate adjourn it be until 7.30 o'clock this evening.

Senator Finn moved to amend by striking out the figures "7.30" and inserting the figures "10.30."

Senator Shields moved to amend the amendment so that the Senate shall meet at 7.35 p. m., and attend the governor's reception in a body.

Lost.

Senator Schmidt moved to amend the amendment so that when the Senate adjourns to-day it be until 8 o'clock a. m. to-morrow.

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Bolter, Cassatt, Cleveland, Clyde, Dodge, Finn, Groneweg, Hanchett, Kegler, Mattoon, Meservey, Mosnat, Rich, Schmidt, Shields, Weidman, Wolfe—18.

The nays were:

Senators Bailey, Barnett, Barrett, Bayless, Bills, Caldwell, Davidson, Dungan, Engle, Funk, Gatch, Gobble, Harsh, Kent, Lawrence, Mack, McCoy, McVay, Mills, Perkins, Price, Reiniger, Seeds, Smith of Linn, Smith of Wright, Stewart, Vale, Woolson—28.

Absent or not voting:

Senators Brower, Kelly, Parrott, Taylor—4.

So the amendment to the amendment was lost.

Senator Mack moved to amend the amendment by striking out the figures "10:30" and insert the figure "9."

Adopted.

The original motion, 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 Senate bills:

S. F. No. 429, a bill for an act authorizing boards of supervisors in certain cases to change the boundaries of townships without reference to lines of school districts.

S. F. No. 414 (passed with certain amendments), a bill for an act to provide for and regulate the keeping and sale of intoxicating liquors for lawful purposes, and to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19, of chapter 71, laws of the 22d G. A.

J. A. SHELTON, *1st Ass't Clerk.*

HOUSE MESSAGES.

The Senate resumed consideration of the appropriation bills.

Substitute for House file No. 257, a bill for an act making an appropriation for the State Normal School at Cedar Falls, Iowa, and providing a permanent endowment and contingent fund for the same.

Read first and second times, and was taken up and considered.

Senator Gatch 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.

The question being, shall the bill pass?

The yeas were:

Senators Bailey, Barrett, Brower, Caldwell, Cleveland, Clyde, Davidson, Dodge, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Lawrence, Mills, Parrott, Perkins, Rich, Schmidt, Shields, Smith of Linn, Smith of Wright, Stewart, Vale, Weidman, Wolfe, Woolson—29.

The nays were:

Senators Barnett and Engle—2.

Absent or not voting:

Senators Ballingall, Bayless, Bills, Bolter, Cassatt, Dungan, Finn, Funk, Kent, Mack, Mattoon, McCoy, McVay, Meservey, Mosnat, Price, Reiniger, Taylor. Seeds—19.

So the bill passed and the title was agreed to.

Substitute for House file No. 318, a bill for an act making appropriations for the Soldiers' Orphans' Home and Home for Indigent Children at Davenport, Iowa.

Read first and second times, and 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 Bailey, Barnett, Barrett, Bills, Brower, Caldwell, Cleveland, Dodge, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McVay, Mills, Mosnat, Parrott, Perkins, Price, Rich, Schmidt, Seeds, Shields, Smith of Wright, Weidman—30.

The nays were—none.

Absent or not voting:

Senators Ballingall, Bayless, Bolter, Cassatt, Clyde, Davidson, Dungan, Engle, Finn, Funk, Hanchett, McCoy, Meservey, Reiniger, Smith of Linn, Stewart, Taylor, Vale, Wolfe, Woolson—20.

So the bill passed and the title was agreed to.

Substitute for House file No. 297, a bill for an act making appropriations for the Iowa Industrial School, girls' department, at Mitchellville, Iowa.

Read first and second times and 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 Bailey, Ballingall, Barnett, Barrett, Bills, Cleveland, Davidson, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, McVay, Mills, Mosnat, Perkins, Price, Rich, Seeds, Shields, Smith of Wright, Weidman—29.

The nays were—none.

Absent or not voting:

Senators Bayless, Bolter, Brower, Caldwell, Cassatt, Clyde, Dodge, Finn, Hanchett, Mattoon, McCoy, Meservey, Parrott, Reiniger, Schmidt, Smith of Linn, Stewart, Taylor, Vale, Wolfe, Woolson—21.

So the bill passed and the title was agreed to.

Substitute for House file No. 340, a bill for an act making an appropriation for the Penitentiary at Anamosa, Iowa.

Read first and second times and 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 Bailey, Barrett, Bills, Brower, Cleveland, Clyde, Davidson, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McVay, Mosnat, Parrott, Perkins,

Price, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Weidman—32.

The nays were—none.

Absent or not voting:

Senators Ballingall, Barnett, Bayless, Bolter, Caldwell, Cassatt, Dodge, Finn, Hanchett, McCoy, Meservey, Mills, Reiniger, Stewart, Taylor, Vale, Wolfe, Woolson—18.

So the bill passed and the title was agreed to.

Substitute for House file No. 337, a bill for an act making appropriations for the Institution for the Deaf and Dumb at Council Bluffs, Iowa.

Read first and second times, and 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 Bailey, Ballingall, Barnett, Barrett, Bills, Brower, Caldwell, Cleveland, Clyde, Davidson, Dungan, Funk, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, McVay, Mills, Mosnat, Parrott, Perkins, Price, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Weidman—35.

The nays were—none.

Absent or not voting:

Senators Bayless, Bolter, Cassatt, Dodge, Engle, Finn, Hanchett, Mattoon, McCoy, Meservey, Reiniger, Taylor, Vale, Wolfe, Woolson—15.

So the bill passed and the title was agreed to.

Substitute for House file No. 410, a bill for an act making appropriations for the penitentiary at Ft. Madison, Iowa.

Read first and second times and 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 Bailey, Ballingall, Barrett, Bayless, Bills, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dungan, Finn, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Kent, Mack, McCoy, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Rich, Seeds, Shields, Smith of Linn, Smith of Wright, Vale, Weidman, Wolfe and Woolson—36.

The nays were—none.

Absent or not voting:

Senators Barnett, Bolter, Brower, Dodge, Engle, Funk, Hanchett, Lawrence, Mattoon, McVay, Reiniger, Schmidt, Stewart, Taylor—14.

So the bill passed and the title was agreed to.

On motion of Senator McCoy the Senate took up bills on third reading.

BILLS ON THIRD READING.

Senate file No. 414, a bill for an act to provide for and regulate the keeping and sale of intoxicating liquors for lawful purposes, and to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of chapter 71, laws of the Twenty-second General Assembly.

On the question of concurring in the House amendments.

The yeas were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Cassatt, Cleveland, Funk, Gatch, Gobble, Hanchett, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mosnat, Parrott, Perkins, Seeds, Shields, Smith of Linu, Smith of Wright, Stewart, Vale, Weidman, Wolfe, Woolson—34.

The nays were:

Senators Clyde, Dungan, Finn, Harsh, Mills, Price, Rich—7.

Absent or not voting:

Senators Bolter, Davidson, Dodge, Engle, Groneweg, Kegler, Reiniger, Schmidt, Taylor—9.

So the amendment was concurred in.

Senator Davidson, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate file 252, a bill for an act to amend chapter 16 of the acts of the Twenty-second General Assembly, relating to improvements of and granting additional powers to cities of the first and second class.

Also, Senate file 399, a bill for an act to legalize the official acts of N. S. Paull, as acting deputy recorder of Worth county, Iowa.

Also, Senate file 333, a bill for an act to provide for a creditable exhibit of the resources of the State of Iowa in the Columbian Exposition, or World's Fair, to be held in Chicago.

And find the same correctly enrolled.

D. B. DAVIDSON, *Chairman*.

On motion of Senator Gatch the hour of adjournment for to-day was fixed for 6 o'clock P. M.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—That the House has passed the following bill, in which the concurrence of the Senate is asked:

Substitute for H. F. 463, a bill for an act to apportion the State into representative districts, and declaring the ratio of representation.

H. S. WILCOX, *Chief Clerk*.

On motion of Senator McCoy the Senate took up House messages.

HOUSE MESSAGES.

House file No. 463, a bill for an act to apportion the State into representatives districts, and declaring the ratio of representation.

Read first and second times and referred to the Committee on Sifting Bills.

The Senate took up for consideration bills recommended by the Sifting Committee.

House file No. 33, a bill for an act to establish a home for adult blind.

Read first and second times and was taken up and considered.

Senator Bolter moved to amend by striking out of line 4, section 3, the words, "said board shall select the location and site of said home," and insert, "within ten miles of the city of Des Moines."

Senator Barnett moved to amend the amendment by striking out the word "ten" and insert "twenty."

Lost.

Senator Brower, moved to strike out from the amendment the words, "within ten miles of the city of Des Moines," and insert the words "Mason City."

Lost.

On the adoption of the original amendment, the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bills, Bolter, Brower, Clyde, Davidson, Dungan, Finn, Gatch, Kegler, Meservey, Parrott, Price, Reiniger, Rich, Seeds, Smith of Linn, Stewart, Vale, Wolfe—20.

The nays were:

Senators Bailey Ballingall, Barnett, Bayless, Caldwell, Cleveland, Dodge, Engle, Funk, Gobble, Groneweg, Hanchett, Harsh, Kelly, Lawrence, Mack, Mattoon, McCoy, Mills, Mosnat, Perkins, Schmidt, Shields, Smith of Wright, Taylor, Woolson—26.

Absent or not voting:

Senators Cassatt, Kent, McVay, Weidman—4.

So the amendment was lost.

Senator Kegler moved to amend the bill so as to locate the home in Jackson county.

Lost.

Senator Gobble moved that the rule be suspended, the bill be read a third time now.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Barnett, Bayless, Caldwell, Cleveland, Davidson, Dodge, Dungan, Engle, Funk, Gatch, Gobble, Hanchett, Harsh, Kegler, Kelly, Lawrence, Mack, Mattoon, McCoy, Mills, Parrott, Perkins, Seeds, Shields, Taylor, Vale, Weidman, Woolson—30.

The nays were.

Senators Barrett, Bills, Bolter, Brower, Clyde, Finn, Groneweg, Meservey, Price, Rich, Smith of Linn, Smith of Wright, Wolfe—13.

Absent or not voting:

Senators Cassatt, Kent, McVay, Mosnat, Reiniger, Schmidt, Stewart—7.

So the motion prevailed and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Caldwell, Cleveland, Davidson, Dodge, Dungan, Engle, Funk, Gatch, Gobble, Hanchett, Harsh, Kegler, Kelly, Lawrence, Mack, Mattoon, McCoy, Mills, Mosnat, Perkins, Schmidt, Seeds, Shields, Taylor, Vale, Weidman, Woolson—32.

The nays were:

Senators Bills, Bolter, Brower, Clyde, Finn, Groneweg, Meservey, Price, Rich, Smith of Linn, Smith of Wright, Stewart, Wolfe—13.

Absent or not voting:

Senators Cassatt, Kent, McVay, Parrott, Reiniger—5.

So the bill passed and the title was agreed to.

Senator Bills explained his vote as follows:

MR. PRESIDENT—I am not in favor of relegating the selection of a locality to a commission. Consequently I vote no.

E. B. BILLS, *Senator 24th District.*

Senator Finn explained his vote as follows:

MR. PRESIDENT—I vote no because I think every institution should be located, at all, by the bill and not become the subject of squabble and contest between towns on account of the supposed advantage gained by location—making it more of a question of benefiting some town than caring for the unfortunate. If it was not for the hope and chance of getting the location in various parts of the State, fewer institu-

tions would be located in Iowa. Every additional institution located away from the capital is one added to a force which is rapidly becoming able to control the State and dictate appropriations.

G. L. FINN, *Senator 6th District.*

On motion of Senator Bolter, the Senate took up for consideration the House concurrent resolution relating to printing the records of Pioneers' Law-makers' Association.

The resolution was adopted.

The Senate resumed consideration of appropriation bills.

Senate file No. 242, a bill for an act appropriating funds for the support of the State 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 Bailey, Ballingall, Barrett, Bills, Caldwell, Clyde, Dungan, Finn, Funk, Gatch, Gobble, Hanchett, Harsh, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Reiniger, Seeds, Shields, Smith of Linn, Smith of Wright, Taylor, Vale, Weidman and Woolson—32.

The nays were:

Senators Barnett, Davidson, Groneweg, Kegler and Stewart—5.

Absent or not voting:

Senators Bayless, Bolter, Brower, Cassatt, Cleveland, Dodge, Engle, Kelly, Kent, Price, Rich, Schmidt and Wolfe—13.

So the bill passed and the title was agreed to.

Senator Barrett, from the Committee on Congressional and Judicial Districts, submitted the following reports:

REPORTS OF STANDING COMMITTEE.

MR. PRESIDENT—Your Committee on Congressional and Judicial Districts, to whom was referred Senate file No. 341, a bill for an act to amend section 3, chapter 134, of the laws of the Twenty-first General Assembly, and to create an additional judicial district, 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.

O. M. BARRETT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Congressional and Judicial districts, to whom was referred Senate file No. 417, a bill for an act to amend chapter 134, of the laws of the Twenty-first General Assembly, relating to reorganizing the judicial districts of the State, 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 without recommendation.

O. M. BARRETT, *Chairman*.

Ordered passed on file.

Senator Lawrence presented the following:

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

Your special joint committee to whom was referred certain bills relative to the Myers & Rhines balloting machines, and who were instructed by the terms of the joint resolution to examine said systems and machines, beg leave to report as follows:

Your committee is unable to say anything as to the merits or demerits of the so-called Rhines machine, for the reason that those persons having charge of said machine fail to give us the opportunity to examine it.

Your committee further report that they made a most thorough and exhaustive examination of the "Myers ballot machine" or system, and are agreed as to the following facts:

Viz:—That while by the Myers system the exact number of votes for each candidate is recorded in secret, separately and reliably up to any given time, yet there is no possible way whereby any election officer or other person can obtain or furnish any evidence to the briber or to the intimidator as to which candidates any elector has voted for, and it is the only machine voting system possessing this all important merit.

The Myers' balloting machine may be set in plain view, and does not require to be placed in a booth, while all proposed systems require the erection of three or more booths, attended with expense. It is also the most rapid system, because the elector votes his entire ballot in one place. The key-board being large, it affords more space and simplifies independent selection by having the name of the office and candidate immediately adjoining each ballot-push. Having but one booth with one key-board it is practical and easy for the illiterate and blind elector to count the knobs and find independent names without assistance.

It prohibits the elector from voting for more than one candidate for each office to be filled by barring out all other competing candidates, an important advantage.

Mr. Myers offers a free license to the State, under the protection of eighty good United States patent claims allowed on four different patents which he exhibited to your committee, and he invites others to present their authority if possessed.

The Myers ballot machine is constructed wholly of iron, brass and steel, the parts working freely without the use of oil, which prevents gumming, and having no printed devices, rubber rollers or inked ribbons to become hard and injured by dust accretions, it is claimed, will be always ready for use.

The Myers American ballot system commends itself because:

First. The voter selects his ballot in absolute secrecy, without the intervention of any clerk or person, partisan or otherwise.

Second. He votes by his freely chosen ballot in absolute secrecy, without the intervention or scrutiny of any inspector or other person.

Third. He counts his own ballot in absolute secrecy, and places it effectively, unerringly and unchangeably to the credit of his candidate.

Fourth. The illiterate and the blind voter can vote correctly and intelligently.

Fifth. No inspector or any other officer has anything to do with counting the ballots; they simply record the totals shown, unalterably in plain figures. There-

fore, accidental or intentional miscounting is impossible; the counting and result being absolutely secret until the polls close.

Sixth. When the last man votes the count is made up complete in totals in plain figures over each candidate's name; hence, no charge can be made by the board for more than one day's service.

Seventh. It is the only system whereby the illiterate and the blind can vote secretly and unaided, and therefore, independently.

Eighth. It is perfectly feasible to provide by law for the cancellation of a candidate or a whole ticket, and for the nomination of others up to within five minutes of the opening of the polls, or even during election day, or the elector may vote freely for any person, whether nominated or not.

Ninth. To summarize, it appears to us to be the purest and most untrammelled; the most certain in results; the most secret; the most rapid; the most convenient. But your committee do not care to recommend this system to succeed our present system of voting in Iowa at this time. While we appreciate fully all its good points, we nevertheless feel that such a change would be altogether too radical at this time. Any change in our electoral system should be considered with care and deliberation which the near close of the session now prevents.

J. S. LAWRENCE,

Chairman of Senate Committee.

N. B. HOLBROOK,

Chairman of House Committee.

Senator McCoy, from the Committee on Sifting Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Sifting Bills, to whom were referred the bills and other matters before the Senate, beg leave to report that they have considered the same, and a majority of the committee have instructed me to report the accompanying schedule of bills as the order of business for the Senate, the same to be considered in the order indicated.

Substitute for House file No. 463.

Joint resolution No. 9.

Senate file No. 101, calendar No. 284.

Senate file No. 149, calendar No. 399.

House file No. 174, (anti-trust bill).

Senate file No. 386, calendar No. 392.

Senate file No. 325, calendar No. 172.

Senate file No. 110, calendar No. 74.

Senate file No. 8, calendar No. 97.

Senate file No. 276.

House file No. 78 (the inebriate bill).

Senate file No. 407 (life insurance policies).

House file No. 76. Also, that the legalizing acts submitted in the last report of this committee be considered immediately upon the convening at this evening's session of the Senate, and your committee will make further report after the above schedule shall have been disposed of.

BEN MCCOY, *Chairman.*

House file No. 510, a bill for an act providing an appropriation for conducting the office of State dairy commissioner, and for paying the expenses thereof.

Read first and second times and 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 Bailey, Barrett, Bayless, Bills, Caldwell, Cleveland, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Gobble, Hanchett, Harsh, Kelly, Lawrence, Mack, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—37.

The nays were:

Senators Bolter, Groneweg, Kegler—3.

Absent or not voting:

Senators Ballingall, Barnett, Brower, Cassatt, Dodge, Engle, Kent, Mattoon, Rich, Schmidt—10.

So the bill passed and the title was agreed to.

The Senate took up for consideration bills recommended by the Sifting Committee:

Substitute for House file No. 463, a bill for an act to apportion the State into representative districts, and declaring the ratio of representation, was taken up and considered.

Senator Mack 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 Bailey, Barnett, Barrett, Bolter, Brower, Caldwell, Cleveland, Davidson, Dungan, Engle, Funk, Gatch, Groneweg, Hanchett, Harsh, Kegler, Kelly, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Reiniger, Rich, Seeds, Shields, Smith of Linn, Taylor, Vale, Weidman, Woolson—35.

The nays were:

Senators Bolter, Cassatt, Clyde, Finn, Mosnat, Price, Schmidt, Stewart, Wolfe—9.

Absent or not voting:

Senators Ballingall, Bayless, Dodge, Gobble, Kent, Smith of Wright—6.

So the bill passed and the title was agreed to.

Senator Wolfe explained his vote as follows:

MR. PRESIDENT—When on the opening of this session I took an oath to support the Constitution, it was with the full intent and purpose on my part to keep inviolate that oath, and as this bill will, if enacted into a law, be a direct violation of the constitution, I vote no.

P. B. WOLFE, *Senator 22d District.*

Senator McCoy moved to further extend the time of the session until 6:30 P. M.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barnett, Barrett, Bills, Brower, Caldwell, Cassatt, Clyde, Davidson, Dungan, Funk, Harsh, Kelly, Lawrence, Mack, Mattoon, McCoy, McVay, Mills, Parrott, Price, Reiniger, Seeds, Smith of Linn, Taylor, Vale, Weidman, Woolson—28.

The nays were:

Senators Bolter, Cleveland, Gatch, Groneweg, Kegler, Meservey, Mosnat, Perkins, Rich, Schmidt, Smith of Wright, Stewart, Wolfe—13.

Absent or not voting:

Senators Ballingall, Bayless, Dodge, Engle, Finn, Gobble, Hanchett, Kent, Shields—9.

So the motion prevailed.

The Senate resumed consideration of bills recommended by the Sifting Committee.

Joint Resolution No. 9, a resolution proposing an amendment to the constitution so as to prohibit the manufacture, sale and keeping for sale, of intoxicating liquors as a beverage, with report of committee recommending amendments, and when so amended it be adopted, was taken up and considered.

Senator Bolter moved that the Senate do now adjourn.

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bills, Bolter, Cleveland, Finn, Gobble, Groneweg, Hanchett, Kegler, Kelly, Mattoon, Meservey, Mosnat, Perkins, Rich, Schmidt, Shields, Stewart, Taylor, Wolfe—20.

The nays were:

Senators Bailey, Barnett, Barrett, Brower, Caldwell, Clyde, Davidson, Dungan, Funk, Gatch, Harsh, Lawrence, Mack, McCoy, McVay, Mills, Parrott, Price, Reiniger, Seeds, Smith of Wright, Vale, Weidman, Woolson—24.

Absent or not voting:

Senators Ballingall, Cassatt, Dodge, Engle, Kent, Smith of Linn—6.

So the motion was lost.

The Senate resumed consideration of joint resolution No. 9.

The question being on the adoption of the amendments recommended by the committee.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barrett, Brower, Caldwell, Clyde, Davidson, Dungan, Funk, Gatch, Harsh, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Linn, Smith of Wright, Vale, Weidman, Woolson—25.

The nays were:

Senators Bayless, Bills, Bolter, Cassatt, Cleveland, Gobble, Groneweg, Kegler, Kelly, Lawrence, Mattoon, Mosnat, Rich, Schmidt, Shields, Stewart, Wolfe—17.

Absent or not voting:

Senators Ballingall, Barnett, Dodge, Engle, Finn, Hanchett, Kent, Taylor—8.

So the amendments were adopted.

Senator Reiniger moved that the rule be suspended, and the joint resolution be considered engrossed and read a third time now.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barrett, Brower, Caldwell, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Harsh, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Linn, Smith of Wright, Vale, Weidman, Woolson—26.

The nays were:

Senators Barnett, Bayless, Bills, Bolter, Cassatt, Cleveland, Gobble, Groneweg, Kegler, Kelly, Lawrence, Mattoon, Mosnat, Rich, Schmidt, Shields, Stewart, Wolfe—19.

Absent or not voting:

Senators Ballingall, Dodge, Engle, Kent, Taylor—5.

Not having received a two-thirds majority the motion was declared to be lost.

Senator Woolson moved the previous question.

Carried, and the previous question was seconded.

The main question was now ordered put.

The question now being shall the joint resolution be engrossed and read a third time to-morrow.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barrett, Brower, Caldwell, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Harsh, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Linn, Smith of Wright, Vale, Weidman, Woolson—26.

The nays were:

Senators Bayless, Bills, Bolter, Cassatt, Cleveland, Gobble, Grone-
weg, Kegler, Kelly, Lawrence, Mattoon, Mosnat, Rich, Schmidt,
Shields, Stewart, Wolfe—17.

Absent or not voting:

Senators Ballingall, Barnett, Dodge, Engle, Hanchett, Kent, Tay-
lor—7.

So the joint resolution was ordered engrossed and read a third time
to-morrow.

Senator Woolson moved to reconsider the vote by which the joint
resolution was ordered engrossed.

Senator Woolson moved to lay the motion on the table.

Carried.

Senator Finn moved to extend the time of adjournment one hour
and a half.

Lost.

Senator Meservey moved to extend the time of adjournment one-
half hour.

Lost.

Senator Wolfe moved that the Senate do now adjourn.

Carried, and the Senate adjourned.

EVENING SESSION.

The Senate met in regular session at 9 o'clock P. M.

Lieut.-Gov. Poyneer in the chair.

Senator Seeds offered the following:

Resolved, That the postmistress of the Senate be authorized and instructed to re-
main in charge of the office until Friday night, April 18, 1890, to care for, deliver
and remail to Senators such mail as may come to them during said time, and that
she be paid for such service at the same rate as now.

Adopted.

The Senate took up bills recommended by the Sifting Committee.

House file No. 505, a bill for an act to legalize the granting of a
franchise for electric light by the city of What Cheer, Iowa, with re-

port of committee recommending amendments and that it do pass when adopted, was taken up, considered, and the amendments recommended by the committee were lost.

Senator Stewart 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 Ballingall, Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dungan, Engle, Finn, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Schmidt, Seeds, Stewart, Vale, Wolfe, Woolson—36.

The nays were—none.

Absent or not voting:

Senators Bailey, Bolter, Dodge, Funk, Lawrence, Perkins, Price, Reiniger, Rich, Shields, Smith of Linn, Smith of Wright, Taylor, Weidman—14.

So the bill passed and the title was agreed to.

House file No. 506, a bill for an act to legalize the action of the city council of the city of Keokuk, granting to John C. Hubinger, and to his successors and assigns, the privilege to such in the streets and alleys of said city the necessary poles, wires and conduits to properly maintain and operate an electric system for furnishing electric light and power to the inhabitants of the city of Keokuk, with report of committee recommending amendments and that it do pass, was taken up, considered, and the amendments proposed by the committee were lost.

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 Bailey, Barnett, Barrett, Bayless, Bills, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Engle, Funk, Gatch, Groneweg, Harsh, Kegler, Kelly, Kent, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Price, Reiniger, Schmidt, Seeds, Shields, Smith of Wright, Vale, Weidman, Wolfe—36.

The nays were—none.

Absent or not voting:

Senators Ballingall, Bolter Dodge, Dungan, Finn, Gobble, Hanchett, Lawrence, Perkins, Rich, Smith of Linn, Stewart, Taylor and Woolson—14.

So the bill passed and the title was agreed to.

Senate file No. 408, a bill for an act to legalize the incorporation of the town of Sioux Rapids and its ordinances, and the acts of its officers thereunder, with report of committee recommending substitute, and when adopted it do pass.

The substitute was read a first and second times and was taken up, considered and adopted.

Senator Mack 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 Bailey, Ballingall, Barrett, Bayless, Bills, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Engle, Finn, Funk, Gatch, Groneweg, Hanchett, Harsh, Kent, Mack, Mattoon, McCoy, McVay, Meservey, Mosnat, Parrott, Price, Reiniger, Rich, Schmidt, Seeds, Smith of Wright, Vale, Weidman, Wolfe, Woolson—36.

The nays were—none.

Absent or not voting:

Senators Barnett, Bolter, Dodge, Dungan, Gobble, Kegler, Kelly, Lawrence, Mills, Perkins, Shields, Smith of Linn, Stewart, Taylor—14.

So the bill passed and the title was agreed to.

Substitute for House file No. 175, a bill for an act to legalize the incorporation of the town of Galva, and the acts of said town done and performed thereunder, with report of committee recommending amendments and when adopted it do pass, was taken up, considered, and the amendments recommended by the committee were lost.

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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dungan, Engle, Funk, Gatch, Gobble, Hanchett, Harsh, Kegler, Mack, Mattoon, McCoy, McVay, Meservey, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Wright, Vale, Weidman—38.

The nays were:

Senator Finn—1.

Absent or not voting:

Senators Dodge, Groneweg, Kelly, Kent, Lawrence, Mills, Smith of Linn, Stewart, Taylor, Wolfe, Woolson—11.

So the bill passed and the title was agreed to.

House file No. 331, a bill for an act to legalize the incorporation of the town of Casey, Guthrie county, Iowa, the election of its officers, and all acts done and the ordinances passed by the council of said town, with report of committee recommending that it do pass, was taken up and considered.

Senator Woolson 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 Bailey, Ballingall, Barnett, Barrett, Bills, Caldwell, Cassatt, Cleveland, Davidson, Dodge, Dungan, Engle, Finn, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Rich, Schmidt, Seeds, Shields, Smith of Wright, Stewart, Vale, Weidman—37.

The nays were—none.

Absent or not voting:

Senators Bayless, Bolter, Brower, Clyde, Funk, Hanchett, Kent, Lawrence, Reiniger, Smith of Linn, Taylor, Wolfe and Woolson—13.

So the bill passed and the title was agreed to.

House file No. 343, a bill for an act to legalize the incorporation of the town of Hartley, county of O'Brien, and State of Iowa, with report of committee recommending it 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Reiniger, Rich, Schmidt, Shields, Smith of Linn, Smith of Wright, Stewart, Vale, Weidman—39.

The nays were—none:

Absent or not voting:

Senators Bolter, Brower, Dodge, Hanchett, Kent, Lawrence, Price, Seeds, Taylor, Wolfe, Woolson—11.

So the bill passed and the title was agreed to.

House file No. 365, a bill for an act to legalize the incorporation and the official proceedings of the town of Dyersville, in the county of Dubuque and the State of 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 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 Bailey, Barnett, Barrett, Bayless, Bills, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Shields, Smith of Linn, Smith of Wright, Stewart, Vale, Weidman, Wolfe—40.

The nays were—none.

Absent or not voting:

Senators Ballingall, Bolter, Brower, Dodge, Finn, Kent, Lawrence, Seeds, Taylor, Woolson—10.

So the bill passed and the title was agreed to.

House file No. 467, a bill for an act to amend chapter 97 of the 18th General Assembly, entitled an act to legalize the organization of the independent school district of Red Rock, Red Rock township, Marion county, Iowa, and to establish the boundaries thereof, with report of committee recommending it do pass, was taken up and considered.

Senator Cassatt 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 Bailey, Barnett, Barrett, Bayless, Bills, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kelly, Kent, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Perkins, Price, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Vale, Weidman, Wolfe, Woolson—40.

The nays were—none.

Absent or not voting:

Senators Ballingall, Bolter, Brower, Dodge, Finn, Kegler, Lawrence, Parrott, Reiniger, Taylor—10.

So the bill passed and the title was agreed to.

House file No. 513, a bill for an act to legalize the official acts of the town council, ordinances and records of the incorporated town of Churdan, Greene county, Iowa, with report of committee recommending it do pass, was taken up and considered.

Senator McVay 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Caldwell, Cassatt, Cleveland, Davidson, Dungan, Engle, Finn, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Vale, Weidman, Wolfe—42.

The nays were—none.

Absent or not voting:

Senators Brower, Clyde, Dodge, Funk, Hanchett, Reiniger, Taylor 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 Senate bills:

S. F. No. 423, a bill for an act for appropriation for State Library.

S. F. No. 312, a bill for an act in relation to the printing, binding and distribution of public reports.

S. F. No. 15, a bill for an act providing for the submission of the question of calling a constitutional convention to the qualified electors of the State as provided by section 3, article 10 of the constitution of the State.

J. A. SHELTON, *First Assistant Clerk.*

House file No. 431, a bill for an act to legalize the incorporation of the first Congregational church, in Toledo, Tama county, Iowa, was taken up and considered.

Senator Mosnat 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 Bailey, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dungan, Engle, Finn, Gatch, Gobble, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence,

Mack, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Rich, Schmidt, Smith of Linn, Stewart, Taylor, Weidman, Wolfe—38.

The nays were—none.

Absent or not voting:

Senators Ballingall, Dodge, Funk, Groneweg, Mattoon, Price, Reiniger, Seeds, Shields, Smith of Wright, Vale and Woolson—12.

So the bill passed and the title was agreed to.

Senate file No. 101, a bill for an act to amend section 1578 of the Code, to provide an abridged pamphlet edition of the school laws for the use of teachers, with report of committee recommending that it do pass, was taken up and considered.

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 Bailey, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Lawrence, Mack, McCoy, Meservey, Mills, Mosnat, Perkins, Rich, Schmidt, Seeds, Shields, Smith of Linn, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson—40.

The nays were—none.

Absent or not voting:

Senators Ballingall, Dodge, Finn, Kent, Mattoon, McVay, Parrott, Price, Reiniger, Smith of Wright—10.

So the bill passed and the title was agreed to.

Senator Finn moved that the Senate do now adjourn until 8:30 o'clock, A. M., to-morrow.

Lost.

Senate file No. 149, a bill for an act to amend section 1544 of the Code, relating to search warrants seizure thereunder, with report of committee recommending amendments, and when adopted it do pass, was taken up and considered.

Senator Gatch moved to strike out all after the enacting clause and insert the following:

SECTION 1. That section 1544 of the Code be so amended as to read as follows:

Section 1544. If any credible resident of any county shall, before a justice of the peace of any township of such county, make written information, supported by his oath or affirmation, that he has reason to believe, and does believe, that any intoxicating liquor, described as particularly as may be in said information, is in said township, in any place described, as particularly as may be in said information, owned or kept by any person named or described in said information, as particularly as may be, and

is intended by him to be sold in violation of the provision of this chapter, said justice shall, upon finding probable cause for such information, issue his warrant of search, directed to the sheriff of the county or to any peace officer in said township, or if the place to be searched is within the corporate limits of any incorporated town or city, to any peace officer of such town or city, describing the liquor as described in said information, and the person named or described in said information as the owner or keeper of said liquor, either by his real or reputed name, or, with sufficient accuracy, otherwise, for certain identification, and the place to be searched, by the number of lot and block, or by street and street number, or so specifically otherwise as that it may be identified from such description alone, and commanding the said officer to search thoroughly said place, and to seize the said liquor, with the vessels containing it, and to keep the same securely until final action be had thereon; whereupon, said peace officer to whom such warrant shall be delivered, shall forthwith obey and execute, so far as he shall be able, the commands of said warrant, and to make return of his doings to said justice, and shall securely keep all liquors so seized by him, and the vessels containing it, until final action be had thereon; *provided, however*, that if the place to be searched be a dwelling house in which any family resides, and in which no tavern, eating-house, grocery or other place of public resort is kept, such warrant shall not be issued unless said complainant shall, on oath or affirmation, declare before said justice that he has reason to believe, and does believe, that within one month next before the making of said information, intoxicating liquor has been, in violation of this chapter, sold in said house, or in some dependency thereof, by the person accused in said information or by his consent or permission; nor unless from the facts and circumstances disclosed by such complaint to said justice, the said justice shall be of opinion that said complainant has adequate reason for such belief; *and provided further*, that any search warrant so issued that shall not, when issued, describe, as hereinbefore required, both place and person, shall on motion of any person interested in any seizure thereunder, be quashed, and all property seized shall be returned to the owner or owners thereof or other person or persons from whose custody the same shall have been taken, and no costs shall be taxed or collectible for any officer who shall have issued or executed such defective warrant; and any officer who shall make any search or seizure under the pretended authority of this chapter, without having in his possession when making the same, a warrant in substantial conformity with the foregoing requirements, shall be guilty of a misdemeanor, and on conviction thereof, shall be fined not less than twenty-five dollars nor more than one hundred dollars, or imprisoned in the county jail not less than five days nor more than thirty days, or shall be both fined and imprisoned within the same limits, in the discretion of the court.

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 the *Des Moines Leader*, newspapers published at Des Moines, Iowa.

The question now being on the adoption of the amendments recommended by the committee.

Senator Price moved to lay the whole matter on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Clyde, Davidson, Finn, Harsh, Mills, Price, Weidman—7.

The nays were:

Senators Bailey, Ballingall, Bayless, Bills, Bolter, Cassatt, Cleveland, Dodge, Dungan, Funk, Gatch, Gobble, Groneweg, Hanchett, Kegler, Kelly, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mosnat, Parrott, Perkins, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Taylor, Vale, Wolfe—35.

Absent or not voting:

Senators Barnett, Barrett, Brower, Caldwell, Engle, Kent, Stewart, Woolson—8.

So the motion was lost.

The amendments recommended by the committee were considered separately.

The first amendment was adopted.

The second amendment recommended by the committee was adopted.

Senator Brower moved that the Senate do now adjourn.

On this the yeas and nays were demanded.

The yeas were:

Senators Bolter, Brower, Clyde, Dodge, Finn, Hanchett, Kegler, McVay, Meservey, Mosnat, Parrott, Price, Smith of Wright, Taylor, Weidman—15.

The nays were:

Senators Ballingall, Barrett, Bayless, Bills, Cassatt, Cleveland, Dungan, Funk, Gatch, Gobble, Groneweg, Harsh, Kelly, Lawrence, Mack, Mattoon, McCoy, Mills, Perkins, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Stewart, Vale, Wolfe, Woolson—29.

Absent or not voting:

Senators Bailey, Barnett, Caldwell, Davidson, Engle, Kent—6.

So the motion was lost.

Senator Wolfe moved the previous question.

Carried, and the previous question was seconded.

The main question was now ordered put.

The question now recurring on the adoption of the third amendment recommended by the committee.

The yeas and nays were demanded.

The yeas were:

Senators Bailey, Bolter, Brower, Caldwell, Clyde, Davidson, Dungan, Finn, Funk, Harsh, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Wright, Taylor, Vale, Weidman, Woolson—25.

The nays were:

Senators Ballingall, Bayless, Bills, Cassatt, Cleveland, Dodge, Gatch,

Gobble, Groneweg, Hanchett, Kegler, Kelly, Kent, Mattoon, Mosnat, Rich, Schmidt, Shields, Smith of Linn, Stewart, Wolfe—21.

Absent or not voting:

Senators Barnett, Barrett, Engle, Lawrence—4.

So the amendment was adopted.

The question now being on the adoption of the remaining amendments recommended by the committee, the yeas and nays were demanded.

The yeas were:

Senators Bailey, Bolter, Caldwell, Clyde, Davidson, Dungan, Finn, Funk, Harsh, Mack, McCoy, McVay, Meservey, Mills, Perkins, Price, Reiniger, Seeds, Smith of Wright, Taylor, Vale, Weidman, Woolson—23.

The nays were:

Senators Ballingall, Bayless, Bills, Cassatt, Cleveland, Dodge, Gatch, Gobble, Groneweg, Kegler, Kelly, Mattoon, Mosnat, Rich, Shields, Smith of Linn, Stewart, Wolfe—18.

Absent or not voting:

Senators Barnett, Barrett, Brower, Engle, Hanchett, Kent, Lawrence, Parrott, Schmidt—9.

So the amendments were adopted.

The question now being on the adoption of the substitute offered by Senator Gatch, the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Barnett, Bayless, Bills, Bolter, Cassatt, Cleveland, Dodge, Gatch, Gobble, Groneweg, Hanchett, Kegler, Kelly, Kent, Lawrence, Mattoon, Mosnat, Rich, Schmidt, Shields, Smith of Linn, Stewart, Wolfe—24.

The nays were:

Senators Bailey, Brower, Caldwell, Clyde, Davidson, Dungan, Finn, Funk, Harsh, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Wright, Taylor, Vale, Weidman, Woolson—24.

Absent or not voting:

Senators Barrett, Engle—2.

So the substitute was not adopted.

Senator Bailey explained his vote as follows:

I cannot vote for this substitute bill because the feature of it confining jurisdiction of justices and constables to the township where the property is situated or the persons reside, subject to the search warrant would destroy the efficiency of the law in several townships in my county.

A. K. BAILEY, *Senator 42d District.*

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 Bailey, Brower, Caldwell, Davidson, Dungan, Finn, Funk, Harsh, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Reiniger, Seeds, Smith of Wright, Taylor, Vale, Weidman, Woolson—22.

The nays were:

Senators Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Cassatt, Cleveland, Dodge, Gatch, Gobble, Groneweg, Hanchett, Kegler, Kelly, Kent, Lawrence, Mattoon, Mosnat, Rich, Schmidt, Shield³, Smith of Linn, Stewart, Wolfe—25.

Absent or not voting:

Senators Clyde, Engle, Price—3.

So the bill was lost on engrossment.

Senator Smith of Linn moved that the Senate do now adjourn.

On this the yeas and nays were demanded.

The yeas were:

Senators Bolter, Caldwell, Dodge—3.

The nays were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Brower, Cassatt, Cleveland, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Lawrence, Mattoon, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Schmidt, Seeds, Stewart, Taylor, Vale, Weidman, Woolson—38.

Absent or not voting:

Senators Engle, Kent, Mack, Mosnat, Rich, Shields, Smith of Linn, Smith of Wright, Wolfe—9.

So the motion was lost.

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 Senate file No. 139, a bill for an act conferring upon women the right to vote at municipal elections, 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.

ROBT G. REINIGER, *Chairman*.

Ordered passed on file.

Substitute for House file No. 154, a bill for an act for the punishment of pools, trusts, combinations and conspiracies, and as to evidence in such cases, with report of committee recommending that it do pass, was taken up and considered.

Senator Kegler offered the following amendment: Insert in line eight, section 1, after the word "fix," the words "or name a rate on property for the purpose of insuring against fire."

Senator Bayless moved the previous question.

Carried, and the previous question was seconded.

The main question was now ordered put.

The question now being on the adoption of the amendment offered, by Senator Kegler.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Barrett, Kegler, Kelly, Mattoon, McVay, Price, Seeds, Stewart, Woolson—10.

The nays were:

Senators Barnett, Bayless, Bills, Clyde, Davidson, Dungan, Gatch, Groneweg, Hanchett, Kent, Lawrence, Mack, McCoy, Meservey, Mills, Parrott, Perkins, Reiniger, Schmidt, Smith of Linn, Smith of Wright, Vale, Weidman—23.

Absent or not voting:

Senators Ballingall, Bolter, Brower, Caldwell, Cassatt, Cleveland, Dodge, Engle, Finn, Funk, Gobble, Harsh, Mosnat, Rich, Shields, Taylor, Wolfe—17.

So the amendment was lost.

On the question, shall the bill be read a third time now? the yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Cassatt, Cleveland, Clyde, Davidson, Dodge, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman and Wolfe—45.

The nays were—none.

Absent or not voting:

Senators Caldwell, Engle, Lawrence, Reiniger and Woolson—5.

So the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dodge, Dungan, Finn, Funk, Gatch, Hanchett, Harsh, Kegler, Kelly, Kent, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Weidman, Wolfe—45.

The nays were:

Senators Groneweg, Lawrence—2.

Absent or not voting:

Senators Engle, Gobble, Woolson—3.

So the bill passed and the title was agreed to.

Senator Groneweg explained his vote as follows:

MR. PRESIDENT—I believe this bill to be unjust, inasmuch as it makes it a criminal offense to make an agreement between two or more parties without showing that any wrong has been done thereby.

WM. GRONEWEG, *Senator 19th District.*

On motion of Senator Meservy the Senate adjourned until 9 o'clock to-morrow.

SENATE CHAMBER.
DES MOINES, IOWA, Tuesday, April 15, 1890. }

The Senate met in regular session at 9 o'clock A. M.

Lieut.-Gov. Poyneer in the chair.

Prayer by Rev. B. F. W. Cozier.

HOUSE MESSAGES.

Senate file No. 418, a bill for an act to provide for the levy of one-half mill State tax for the years 1890 and 1891, for the purpose of properly meeting the necessary requirements of the several State institutions, and for other purposes.

On the question of concurring in the House amendments.

The yeas were:

Senators Bailey, Ballingall, Barnett, Bayless, Bills, Bolter, Caldwell, Cassatt, Cleveland, Clyde, Davidson, Dodge, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Vale, Weidman, Wolfe, Woolson—43.

The nays were—none.

Absent or not voting:

Senators Barrett, Brower, Engle, Kent, Lawrence, Stewart, Taylor—7.

So the amendments were concurred in.

Senate file No. 419, a bill for an act to amend section 1, chapter 158, laws of the 21st General Assembly, relative to salary of messenger in the State Library, 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 considered engrossed and 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 Bailey, Ballingall, Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Mack, Mattoon, McCoy, Meser-

vey, Mills, Mosnat, Parrott, Perkins, Reiniger, Rich, Seeds, Shields, Smith of Wright, Stewart, Vale, Weidman, Wolfe, Woolson—38.

The nays were—none.

Absent or not voting:

Senators Barnett, Barrett, Cassatt, Engle, Hanchett, Kent, Lawrence, McVay, Price, Schmidt, Smith of Linn, Taylor—12.

So the bill passed and the title was agreed to.

Senate file No. 127, a bill for an act to amend section 16, chapter 58, laws of the Twenty-first General Assembly, with report of Committee recommending substitute, and when adopted that it do pass.

The substitute was read a first and second times and was taken up and considered, and adopted.

Senator Dungan 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 Bailey, Ballingall Bayless, Bills, Bolter, Brower, Caldwell, Cleveland, Dodge, Dungan, Engle, Eunk, Gatch, Gobble, Hanchett, Harsh, Mack, McCoy, McVay, Mills, Parrott, Reiniger, Rich, Schmidt, Smith of Linn, Smith of Wright, Taylor, Vale, Wolfe, Woolson—31.

The nays were:

Senators Barnett, Finn, Kegler, Price—4

Absent or not voting:

Senators Barrett, Clyde, Davidson, Groneweg, Kelly, Kent, Lawrence, Mattoon, Meservey, Mosnat, Perkins, Seeds, Shields, Stewart, Weidman—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—The House has passed and asks the concurrence of the honorable Senate in:

H. F. 516, a bill for an act to make appropriations for the payment of State officers, State expenses and other bills.

Also the House has passed S. F. No. 426, a bill for an act legalizing and declaring valid a certain deed or conveyance of real estate situated in Davis county, Iowa, made by Charles Parsons, executor and trustee of the last will and testament of William M. McPherson, late of the city and county of St. Louis.

Also, I herewith present for your signature the following bills which have passed both branches of this G. A., been duly enrolled and signed by the Speaker of the House:

H. F. Nos. 39, 308, 348, 400, 434.

S. F. Nos. 60, 252, 313, 333, 339.

J. A. SHELTON, 1st Assistant Clerk.

Senate file No. 128, a bill for an act to amend section 1, chapter 121, laws of the Twenty-second General Assembly, with report of Committee recommending that it do pass, was taken up, and considered.

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 Bailey, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Cleveland, Clyde, Dodge, Dungan, Engle, Funk, Gatch, Gobble, Hanchett, Harsh, Kelly, Mack, McCoy, McVay, Mills, Parrott, Reiniger, Seeds, Smith of Linn, Smith of Wright, Stewart, Taylor Vale, Weidman, Woolson—32.

The nays were:

Senator Finn—1.

Absent or not voting:

Senators Ballingall, Caldwell, Cassatt, Davidson, Groneweg, Kegler, Kent, Lawrence, Mattoon, Meservey, Mosnat, Perkins, Price, Rich, Schmidt, Shields, Wolfe—17.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—The House has passed and asks the concurrence of the honorable Senate in substitute for H. F. No. 99, a bill for an act providing for a defense against fraud or circumvention used in obtaining the making or executing of notes, and other instruments in writing.

Also, the House has passed the following Senate bills:

S. F. No. 185, a bill for an act to amend section 9, chapter 21, acts of the 20th G. A., as amended by section 2, chapter 56, acts of the 22d G. A., relative to escape shafts in coal mines.

Also, the House has referred to pass S. F. No. 34, 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.

J. A. SHELTON, *1st Assistant Clerk.*

Senate file No. 244, a bill for an act for an appropriation for the claim of J. P. Bushnell & Co., for preparing, publishing and distributing five thousand copies of Iowa Resources and Industries, at the World's fair in 1885, with report of committee recommending amendments, and when adopted it do pass, was taken up and considered. Pending which the Senate took up House messages.

HOUSE MESSAGES.

House file No. 99, a bill for an act providing for a defense against fraud or circumvention used in obtaining the making or executing of notes and other instruments in writings.

Read first and second times and referred to the Committee on Sifting Bills.

House file No. 516, a bill for an act to make appropriations for the payment of State officers, State expenses and other bills.

Read first and second times and referred to the Committee on Appropriations.

The Senate resumed consideration of Senate file No. 244.

The amendments recommended by the committee were adopted.

Senator Weidman moved the previous question.

Carried.

And the previous question was seconded.

On the question, shall the main question be now put? the yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Caldwell, Clyde, Dodge, Funk, Gobble, Groneweg, Hanchett, Harsh, Lawrence, Mack, Mattoon, McCoy, McVay, Mills, Mosnat, Perkins, Price, Shields, Vale, Weidman—26.

The nays were:

Senators Bolter, Engle, Kegler—3.

Absent or not voting:

Senators Brower, Cassatt, Cleveland, Davidson, Dungan, Finn, Gatch, Kelly, Kent, Meservey, Parrott, Reiniger, Rich, Schmidt, Seeds, Smith of Linn, Smith of Wright, Stewart, Taylor, Wolfe, Woolson—21.

So the main question was ordered put.

On the question, shall the bill be engrossed? the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Dungan, Gatch, Harsh, Lawrence, Mattoon, McCoy, McVey, Mills, Parrott, Perkins, Price, Shields, Smith of Linn, Smith of Wright, Vale, Weidman, Woolson—19.

The nays were:

Senators Ballingall, Barnett, Bills, Bolter, Brower, Caldwell, Clyde, Dodge, Engle, Finn, Groneweg, Kegler, Mack, Seeds, Stewart—15.

Absent or not voting:

Senators Bailey, Cassatt, Cleveland, Davidson, Funk, Gobble, Han-

chett, Kelly, Kent, Meservey, Mosnat, Reiniger, Rich, Schmidt, Taylor, Wolfe—16.

Senator Gatch moved to reconsider the vote by which the bill was ordered engrossed.

Senator Kegler moved to lay the matter on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Barnett, Bills, Bolter, Cleveland, Clyde, Davidson, Dodge, Engle, Groneweg, Harsh, Kegler, Mack, Mills, Mosnat, Seeds—15.

The nays were:

Senators Bailey, Ballingall, Bayless, Brower, Caldwell, Clyde, Dungan, Funk, Gatch, Gobble, Lawrence, Mattoon, McCoy, McVay, Parrott, Perkins, Price, Smith of Linn, Smith of Wright, Vale, Weidman, Woolson—21.

Absent or not voting:

Senators Barrett, Cassatt, Finn, Hanchett, Kelly, Kent, Meservey, Reiniger, Rich, Schmidt, Shields, Stewart, Taylor, Wolfe—14.

So the motion was lost.

Senator Kegler moved to amend as follows:

Sec. 2. That there be and there is hereby further appropriated the sum of \$15,000, or as much thereof as necessary, to pay all claims against the State, contracted or caused by said World's Fair, and the Auditor be and is hereby instructed to draw warrants on the State treasury for money, not otherwise appropriated, for the amount due to different persons, upon a certified bill, under oath, by the commissioners of said fair.

On this the yeas and nays were demanded.

The yeas were:

Senators Ballingall, Barnett, Bayless, Bills, Dodge, Groneweg, Kegler, Mosnat—8.

The nays were:

Senators Bailey, Barrett, Bolter, Brower, Caldwell, Clyde, Dungan, Engle, Finn, Gobble, Harsh, Lawrence, Mack, McCoy, McVay, Meservey, Parrott, Price, Smith of Wright, Stewart, Vale, Weidman, Woolson—23.

Absent or not voting:

Senators Cassatt, Cleveland, Davidson, Funk, Gatch, Hanchett, Kelly, Kent, Mattoon, Mills, Perkins, Reiniger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Taylor, Wolfe—19.

So the amendment was lost.

On motion of Senator Gatch the rule was suspended and the bill was considered, engrossed and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bailey, Ballingall, Bayless, Caldwell, Dungan, Gatch, Gobble, Harsh, Lawrence, Mattoon, McCoy, McVay, Price, Shields, Smith of Linn, Vale, Weidman, Woolson—18.

The nays were:

Senators Barnett, Barrett, Bills, Bolter, Brower, Cleveland, Clyde, Dodge, Engle, Groneweg, Kegler, Stewart, Taylor, Wolfe—14.

Absent or not voting:

Senators Cassatt, Davidson, Finn, Funk, Hanchett, Kelly, Kent, Mack, Meservey, Mills, Mosnat, Parrott, Perkins, Reiniger, Rich, Schmidt, Seeds, Smith of Wright—18.

So the bill was lost.

Senator Davidson, 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 308, an act to amend section 1, chapter 92, acts of the 19th General Assembly.

Also, House file 39, an act to legalize the acts of the clerks of the district and circuit courts of Plymouth county, in entering judgments on confession in said courts.

Also, House file 348, an act to legalize conveyances of real property by executor or trustees under foreign wills.

Also, House file 400, an act appropriating money to the dependent parents of George Henry Kresting, mortally wounded in assisting to arrest the Barber Brothers.

Also, House file 434, an act to legalize the incorporation of the town of Guthrie Center, Guthrie county, Iowa, the elections of its officers, and all of the acts and ordinances of said town.

Also, Senate file 60, an act relating to tramps, their arrest, trial and punishment and prescribing penalties for violation of this act, and repealing chapter 69, laws of the 16th General Assembly.

Also, Senate file 313, an act to amend section one, of chapter one hundred and thirty-seven (137), acts of the 19th General Assembly, relating to pharmacists registered without examination.

Also, Senate file 252, an act to amend chapter 16, of the acts of the 22d General Assembly, relating to improvements of and granting additional powers to cities of the first and second class.

Also, Senate file 333, an act to provide for a creditable exhibit of the resources of the State of Iowa, in the "Columbian Exposition" or world's fair to be held in Chicago.

Also, Senate file 399, an act to legalize the official acts of N. S. Paull as acting deputy recorder of Worth county, Iowa.

D. B. DAVIDSON, *Chairman*.

Senator McCoy, from the Committee on Sifting Bills, submitted the following report:

MR. PRESIDENT—Your Special Committee on Sifting Bills, to whom were referred the bills and other matters pending before the Senate, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the following schedule of bills as the order of business to be considered immediately upon convening of the Senate this morning (April 15), or as soon thereafter as the remaining appropriation bills shall have been disposed of:

Joint resolution No. 9.

Senate file No. 386, calendar No. 392.

Senate file No. 325.

House file No. 76.

Senate file No. 410.

Senate file No. 401.

House file No. 78.

Senate file No. 110, calendar No. 74.

House file No. 407.

Substitute for House file No. 56 and 208.

Senate file No. 42.

Senate file No. 25.

Senate file No. 321.

Senate file No. 83.

House file No. 341.

House file No. 127.

Senate file No. 264.

Substitute for Senate files No. 1 and 292.

Substitute for Senate file No. 365.

And your committee will hereafter make further report.

BEN. MCCOY, *Chairman*.

Senator Mack, from Committee on Engrossed Bills, submitted the following report.

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined joint resolution No. 9, proposing to amend the constitution of the State, to prohibit the manufacture, sale or keeping for sale of intoxicating liquors for use as a beverage within the State and authorizing such manufacture, sale and keeping for lawful purposes, and find the same correctly engrossed.

A. B. FUNK, *Chairman*.

Senator Davidson, from Committee on Enrolled Bills, submitted the following report.

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate file No. 418, a bill for an act to provide for the levy of one-half ($\frac{1}{2}$) mill State tax, for the year 1890, for the purpose of properly meeting the necessary requirements of the several State institutions, and for other purposes.

Also, Senate file No. 429, a bill for an act authorizing board of supervisors in certain cases to change the boundaries of townships without reference to lines of school districts.

Also, Senate file No. 423, a bill for an act making appropriations for the State library, and find the same correctly enrolled.

D. B. DAVIDSON, *Chairman*.

The Senate took up for consideration bills, etc., recommended by the Sifting Committee.

Joint Resolution No. 9, Joint Resolution proposing to amend the constitution so as to prohibit the manufacture, sale or keeping for sale of intoxicating liquors for use as a beverage, within the State, and authorize such manufacture, sale and keeping for lawful purposes.

Senator McCoy moved that the rule be suspended, and the joint resolution be considered engrossed and read a third time now, which motion prevailed and the joint resolution was read a third time.

On the question, shall the joint resolution pass?

The yeas were:

Senators Bailey, Barrett, Brower, Caldwell, Clyde, Davidson, Dungan, Finn, Funk, Gatch, Harsh, Mack, McCoy, McVay, Meservey, Mills, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Linn, Smith of Wright, Vale, Weidman, Woolson—26.

The nays were:

Senators Ballingall, Barnett, Bayless, Bills, Bolter, Cassatt, Cleveland, Dodge, Engle, Gobble, Groneweg, Kegler, Kelly, Kent, Lawrence, Mattoon, Mosnat, Rich, Schmidt, Shields, Stewart, Wolfe—22.

Absent or not voting:

Senators Hanchett, Taylor—2.

So the joint resolution passed and the title was agreed to.

Senator Barnett explained his vote as follows:

MR. PRESIDENT—I vote nay for the reason that I am not willing to admit that prohibition is a failure in Iowa.

J. H. BARNETT,
Senator 11th District.

Senator Woolson moved to reconsider the vote by which the joint resolution was passed.

Senator Woolson moved to lay the motion on the table.

Carried.

Senate file No. 386, a bill for an act to apply the provisions of chapter 58, 17th General Assembly, and amendments thereto to existing, bonded indebtedness of counties, cities and towns, with report of Committee recommending it do pass, was taken up and considered.

Senator Cassatt 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 Bailey, Ballingall, Barrett, Bayless, Bolter, Caldwell, Cassatt, Cleveland, Clyde, Dungan, Funk, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, Mosnat, Parrott, Perkins,

Rich, Schmidt, Shields, Smith of Linn, Smith of Wright, Weidman, Wolfe, Woolson—31.

The nays were—none.

Absent or not voting:

Senators Barnett, Bills, Brower, Davidson, Dodge, Engle, Finn, Gatch, Gobble, Hanchett, McVay, Meservey, Mills, Price, Reiniger, Seeds, Stewart, Taylor, Vale—19.

So the bill passed and title was agreed to.

Senate file No. 325, a bill for an act conferring upon cities and incorporated towns certain additional powers relating to the construction of street railways and to define the motive power thereof, with report of committee recommending amendments, and when adopted it do pass, was taken up, considered, and the amendments recommended by the committee were adopted.

Senator Shields moved to add to section 2 as follows: Provided, that nothing in this act shall affect present or pending litigation or any vested rights.

Adopted.

Senator Shields moved that the rules be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

The yeas were:

Senators Bailey, Barrett, Bayless, Bills, Bolter, Caldwell, Cleveland, Clyde, Dungan, Engle, Finn, Funk, Gatch, Gobble, Groneweg, Hanchett, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, Mosnat, Parrott, Perkins, Price, Reiniger, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Vale, Weidman, Wolfe, Woolson—39.

The nays were—none.

Absent or not voting:

Senators Ballingall, Barnett, Brower, Cassatt, Davidson, Dodge, McVay, Meservey, Mills, Rich, Taylor—11.

So the bill passed and title was agreed to.

House file No. 76, a bill for an act entitling persons paying special taxes assessed upon real estate for the improvement of streets in cities existing under special charters to be credited with the amount of such special taxes so paid upon any general road or street tax charged against them on account of same real estate, with report of committee recommending that it do pass, was taken up and considered.

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 Bailey, Ballingall, Barrett, Bayless, Bolter, Caldwell, Clyde, Dungan, Engle, Funk, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, McCoy, Mosnat, Parrott, Price, Rich, Schmidt, Smith of Linn, Smith of Wright, Stewart, Vale, Weidman, Wolfe, Woolson—32.

The nays—none.

Absent or not voting:

Senators Barnett, Bills, Brower, Cassatt, Cleveland, Davidson, Dodge, Finn, Hanchett, Mattoon, McVay, Meservey, Mills, Perkins, Reiniger, Seeds, Shields, Taylor—18.

So the bill passed and the title was agreed to.

Senate file No. 410, a bill for an act to amend chapter 25 of the laws of the Fourteenth General Assembly, entitled an act for the encouragement of horticulture and forestry, 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 be considered engrossed, and 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Brower, Cleveland, Clyde, Dungan, Engle, Finn, Funk, Gatch, Gobble, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, McCoy, Mills, Mosnat, Parrott, Perkins, Price, Shields, Smith of Linn, Stewart, Taylor, Vale, Weidman, Woolson—35.

The nays were—none.

Absent or not voting:

Senators Caldwell, Cassatt, Davidson, Dodge, Groneweg, Hanchett, Mattoon, McVay, Meservey, Reiniger, Rich, Schmidt, Seeds, Smith of Wright, Wolfe—15.

So the bill passed and the title was agreed to.

Senate file No. 401, a bill for an act to amend section 1, chapter 52, acts of the 22d General Assembly, relating to the appointment of State Mine Inspectors, with report of committee recommending it do pass, was taken up and considered.

Senator Dungan 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, Brower, Clyde, Dungan, Engle,

Finn, Funk, Gatch, Gobble, Groneweg, Harsh, Kegler, Lawrence, Mack, McCoy, Mosnat, Parrott, Perkins, Price, Reiniger, Rich, Seeds, Shields, Smith of Linn, Smith of Wright, Taylor, Vale, Weidman, Wolf, Woolson—32.

The nays were—none.

Absent or not voting:

Senators Baily, Ballingall, Barnett, Bolter, Caldwell, Cassatt, Cleveland, Davidson, Dodge, Hanchett, Kelly, Kent, Mattoon, McVay, Meservey, Mills, Schmidt, Stewart—18.

So the bill passed and title was agreed to.

Senator Finn moved to suspend the rule and the Senate take up for consideration Senate file No. 42, a bill for an act conferring upon women the right to vote at school elections.

On this the yeas and nays were demanded.

The yeas were:

Senators Dungan, Engle, Finn, Harsh, Mack, Mills, Parrott, Reiniger—8.

The nays were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Brower, Cleveland, Dodge, Gatch, Groneweg, Kegler, Kelly, Kent, Lawrence, McCoy, McVay, Meservey, Mosnat, Perkins, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart, Taylor, Vale, Wolfe, Woolson—31.

Absent or not voting:

Senators Bolter, Caldwell, Cassatt, Clyde, Davidson, Funk, Gobble, Hanchett, Matton, Price, Weidman—11.

So the motion was lost.

House file No. 78, a bill for an act to amend section 2272 of the Code of 1873, and to provide for appointing guardians of the persons of habitual drunkards, and for the custody, restraint and confinement of habitual drunkards, and their reformation, under orders of the district court, or the judge thereof, and for terminating such guardianship, 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 Bailey, Ballingall, Barrett, Bayless, Bills, Brower, Caldwell, Dodge, Dungan, Finn, Funk, Gatch, Gobble, Groneweg, Harsh, Kegler, Kelly, Mack, Mattoon, McCoy, McVay, Meservey, Price, Rich,

Schmidt, Smith of Linn, Stewart, Taylor, Vale, Weidman, Wolfe, Woolson.—32.

The nays were:

Senators Bolter, Clyde, Mills, Seeds, Smith of Wright—5.

Absent or not voting:

Senators Barnett, Cassatt, Cleveland, Davidson, Engle, Hanchett, Kent, Lawrence, Mosnat, Parrott, Perkins, Reiniger, Shields—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 Senate bills:

S. F. No. 123, a bill for an act to amend section 1, of chapter 121, of the laws of the Twenty-Second G. A.

S. F. No. 377, a bill for an act to amend section 312, of the Code, in relation to issuing bonds by counties in certain cases.

Substitute for S. F. No. 408, a bill for an act to legalize the incorporation of the town of Sioux Rapids, and its ordinances, and the acts of its officers thereunder.

Also, I herewith present for your signature the following bills which have passed both branches of this G. A., been duly enrolled and signed by the Speaker of the House:

H. F. Nos. 24, 45, 110, 139, 166, 195, 197, 216, substitute for 297, 306, 257, 265, 273, 318, 337, 340, 374, 410, 425, 514.

J. A. SHELTON, *1st Ass't Clerk.*

Senator Davidson, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate file 15, a bill for an act providing for the submission of the question of calling a constitutional convention to the qualified electors of the State as provided by section three, article two of the constitution of this State.

Also, Senate file 426, a bill for an act legalizing and declaring valid a certain deed or conveyance of real estate, situated in Davis county, Iowa, made by Charles Parsons, executor and trustee of the last will and testament of William M. McPherson, deceased, late of the city and county of St. Louis, State of Missouri, to J. D. Trebilock, and find the same correctly enrolled.

D. B. DAVIDSON, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate file 185, a bill for an act to amend sec. 9, chap. 21, acts of the 20th General Assembly as amended by sec. 2, chap. 56, acts of the 22d General Assembly, relative to escape shafts in coal mines, and find the same correctly enrolled.

D. B. DAVIDSON, *Chairman.*

The following message was received from the Governor:

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA, }
EXECUTIVE OFFICE, DES MOINES, April 15, 1890. }

MR. PRESIDENT—I am instructed by the Governor to inform you that he has approved, signed and deposited in the office of the Secretary of State the following bills:

Senate file No. 153, an act to legalize certain ordinances of the incorporated town of Mitchellville, in the county of Polk and State of Iowa.

Senate file No. 404, an act to relieve Anderson M. Bengé and others, to whom loans of the school funds were made in Madison county, Iowa.

Senate file No. 374, an act to relieve Mrs. A. Neet, of Reinbeck, Iowa.

Senate file No. 412, an act to legalize the proceedings of the board of supervisors of Calhoun county, in locating and constructing ditches in said county, and in assessing the costs thereof, and on lands benefitted thereby.

Senate file No. 344, an act to accept and legalize the grant to the State of Iowa, made by the city of Iowa City, of certain rights and privileges in a public park and street in said city, as indicated by an ordinance of said city passed March 7, 1890.

Senate file No. 163, an act to amend section nine of chapter forty, acts of the Nineteenth General Assembly, in relation to the Institution for Feeble Minded Children at Glenwood.

Senate file No. 113, an act to amend chapter sixteen, laws of the Twenty-second Assembly, "an act granting additional powers 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;" and

Senate file No. 212, an act to permit the board of supervisors of Marshall county, Iowa, to refund money with interest to the widow and heirs of Harry Scofield of Marshall county, Iowa.

FRED'K. W. HOSSFELD, *Private Secretary.*

The Senate now took up for consideration, appropriation bills.

House file No. 516, a bill for an act to make appropriations for the payment of State officers, State expenses and other bills, was taken up and considered.

Senator Gatch moved 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 Bailey, Ballingall, Barnett, Barrett, Bayless, Bills, Bolter, Cleveland, Clyde, Dodge, Dungan, Finn, Funk, Gatch, Gobble, Harsh, Kegler, Kelly, Kent, Lawrence, Mack, McCoy, McVay, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Rice, Seeds, Smith of Linn, Smith of Wright, Taylor, Weidman, Wolfe, Woolson—37.

The nays were—none.

Absent or not voting:

Senators Brower, Caldwell, Cassatt, Davidson, Engle, Groneweg, Hanchett, Mattoon, Meservey, Schmidt, Shields, Stewart, Vale—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 herewith present for your signature the following bills, which have passed both branches of this G. A., been duly enrolled, and signed by the Speaker of the House:

S. Fs. Nos. 429, 418, 423, 15, 426, 185.

J. A. SHELTON, *First Assistant Clerk*.

Senator Gatch, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate file No. 415, a bill for an act providing a site for the erection of a State soldiers and sailors monument, arch, memorial hall or monument and memorial hall combined, according to the discretion of the commissioners in this act provided for, expressive 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 in the recent war in defense of the Union, and appropriating funds therefor out of the refunding of the direct war tax, beg leave to report that they have had the same under consideration, have prepared a substitute and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and that it do pass.

C. H. GATCH, *Chairman*.

Also, the following sub-committee report:

MR. CHAIRMAN—The sub-committee, to whom was referred Senate File No. 415, relating to the erection of a soldiers' monument, arch, memorial hall, or memorial hall and monument combined, beg leave to report:

That we have considered the subject, and feel compelled to advise that the time at the disposal of this General Assembly before it must adjourn *sine die* is entirely inadequate for the proper consideration of a measure of this length and importance. A report for "indefinite postponement" is therefore, in our opinion, an imperative necessity; but we are also of the opinion that such a report should be accompanied by the heartiest possible expression of sympathy with a measure like this proposing to perpetuate the loyal affection this generation bears for the patriotism, courage and distinguished soldierly bearing of our fellow citizens as manifested during the recent war of the rebellion.

It is our duty in this connection to call the attention of the Committee on Appropriations to chapter 136 of the laws of the 22d General Assembly, in which a portion of the funds expected to accrue to the state on account of a refunding of the direct war tax is set apart to a specific purpose. It should also be borne in mind

that many members of this General Assembly were the recipients during the session of numerous memorials and resolutions adopted by numerous Grand Army posts in the state quite at variance with the expressions contained in resolutions touching this question adopted by the late State G. A. R. encampment, and presented to this General Assembly.

In view of this divided sentiment we believe this matter can be properly remanded to the people of the state for discussion, in the hope that when the 24th General Assembly convenes the money to be derived from the direct tax will be in the State Treasury, and that public sentiment will be better settled as to the form in which this memorial will best commemorate the valor and bravery of our citizen soldiery in the hour of their country's peril.

For this, as well as the first reason given we believe it will be wisest to continue the commission created by section 2 of chapter 136 of the 22d G. A. above referred to, with a request that such commission consider all the questions involved and make further report to the next General Assembly.

The draft of a bill to this purport is herewith submitted, and made a part of this report.

Respectfully submitted,

A. K. BAILEY,
MATT PARROTT,
L. B. MATTOON,
Sub-Committee.

Ordered passed on file.

Senate file No. 415, a bill for an act providing a site, and for the erection of a State soldiers' and sailors' monument and memorial hall or monument and memorial hall combined, according to the discretion of the commissioners in this act, provided for expressive on the part of the people of the State of Iowa of the appreciation of the patriotism, courage and distinguished soldierly bearing of their fellow citizens as manifested in the recent war in defense of the Union, and appropriating funds therefor out of the refunding of the direct tax, with report of committee recommending substitute, and that it do pass, was taken up, considered, and the substitute recommended by the committee read a first and second time.

Senator Price moved to amend as follows:

SEC. 4. That of the moneys which may come into the State treasury in pursuance of an act of Congress refunding to the State the amount paid the general government under the direct tax act, approved August 5, 1861, so much as may remain after there shall have been paid therefrom, the amount due and payable under the constitution of this State from the general government fund of the State to the school fund of the State as contemplated by the provisions of section 1, chapter 194 of the laws of the Twenty-second General Assembly, shall be held by said treasurer to wait the action of the Twenty-fourth General Assembly, in the matter of the erection of said monument or memorial statute.

Pending which the following message was received from the House:

MESSAGE FROM THE HOUSE.

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills:

Senate file No. 328, a bill for an act conferring upon cities and incorporated towns certain additional powers relating to the construction of railways, and to define the motive powers thereof.

Also, Senate file No. 195, 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.

Also, Senate file No. 372, a bill for an act to protect laborers and miners for labor performed in developing and working in coal mines, additional to chapter 100 of the Sixteenth G. A., and chapter 129 of the Twentieth G. A.

H. S. WILCOX, *Chief Clerk.*

The Senate resumed consideration of Senate file No. 415, the question being on the amendment by Senator Price.

Senator Brower moved the previous question.

Carried, and the previous question was seconded.

The main question was now ordered put.

The question now being on the adoption of the amendment offered by Senator Price, it was adopted.

The substitute recommended by the committee as amended was adopted.

The question now being on the engrossment of the bill.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Barnett, Barrett, Bayless, Brower, Caldwell, Clyde, Davidson, Dodge, Dungan, Funk, Gatch, Gobble, Grone-weg, Hanchett, Harsh, Kelly, Kent, Lawrence, Mack, McCoy, McVay, Meservey, Parrott, Perkins, Price, Reiniger, Seeds, Shields, Smith of Wright, Stewart, Tailor, Vale, Weidman, Wolfe, Woolson—37.

The nays were:

Senator Mills—1.

Absent or not voting:

Senators Bills, Bolter, Cassatt, Cleveland, Engle, Finn, Kegler, Mattoon, Mosnat, Rich, Schmidt, Smith of Linn—12.

So the bill was ordered engrossed and read a third time to-morrow.

Senator Price moved to reconsider the vote by which the bill was ordered engrossed and read third time tomorrow.

On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Barrett, Bills, Brower, Caldwell, Cleveland, Clyde, Dodge, Dungan, Funk, Gatch, Hanchett, Harsh, Kelly,

Lawrence, Mack, McCoy, McVey, Mills, Parrott, Perkins, Price, Taylor, Vale, Weidman, Wolfe, Woolson—28.

The nays were:

Senators Bayless, Finn—2.

Absent or not voting:

Senators Barnett, Bolter, Cassatt, Davidson, Engle, Gobble, Groneweg, Kegler, Kent, Mattoon, Meservey, Mosnat, Reinger, Rich, Schmidt, Seeds, Shields, Smith of Linn, Smith of Wright, Stewart—20.

So the motion prevailed.

Senator Price moved that the rule be suspended, and the bill be consierred engrossed and read a third time now. On this the yeas and nays were demanded.

The yeas were:

Senators Bailey, Ballingall, Barnett, Barrett, Bills, Brower, Caldwell, Cleveland, Clyde, Davidson, Dodge, Dungan, Engle, Funk, Gatch, Gobble, Hanchett, Harsh, Kelly, Lawrence, Mack, McCoy, McVay, Meservey, Parrott, Perkins, Price, Reiniger, Seeds, Smith, of Wright, Taylor, Vale, Wolfe, Woolson—34.

The nays were:

Senators Bayless, Finn, Mills—3.

Absent or not voting:

Bolter, Cassatt, Groneweg, Kegler, Kent, Mattoon, Mosnat, Rich, Schmidt, Shields, Smith of Linn, Stewart, Weidman—13.

So the motion prevailed and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bailey, Ballingall, Barnett, Barrett, Brower, Caldwell, Cleveland, Clyde, Dodge, Dungan, Funk, Gatch, Hanchett, Harsh, Kelly, Lawrence, Mack, McCoy, McVay, Meservey, Parrott, Perkins, Price, Reiniger, Seeds, Shields, Smith of Wright, Taylor, Vale, Weidman, Wolfe, Woolson—32.

The nays were:

Senators Bayless, Finn, Gobble, Kegler, Kent, Mills, Mosnat—7.

Absent or not voting:

Senators Bills, Bolter, Cassatt, Davidson, Engle, Groneweg, Mattoon, Rich, Schmidt, Smith of Linn, Stewart—11.

So the bill passed and the title was agreed to.

REPORT OF STANDING COMMITTEES.

Senator Meservy, from the Committee on Railways, submitted the following report :

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 329, a bill for an act to amend section 17, chapter 28, of the laws of the 22d General Assembly, and to make the same applicable to express 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 do pass.

A. F. MESERVEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate file No. 382, a bill for an act compelling railway companies operating in the State of Iowa to issue 1,000 mile passenger rate books and providing punishment for failure to do so, beg leave to report 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.

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:

Senate file No. 386, a bill for an act to apply the provisions of chapter 58 of the 17 G. A., and amendments thereto, relating to existing bonded indebtedness of counties, cities and towns.

Also, Senate file 410, a bill for an act to amend chapter 25, acts of the 14th G. A.
H. S. WILCOX, *Chief Clerk*.

Senator Davidson, 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 24, an act making appropriations for the Institution for Feeble Minded Children at Glenwood, Iowa.

Also, House file 45, an act making appropriations for the Soldiers' Home at Marshalltown, Iowa.

Also, House file 110, an act making an appropriation for the College for the Blind at Vinton, Iowa.

Also, House file 139, an act making appropriations for the Hospital for the Insane at Mt. Pleasant, Iowa.

Also, House file 166, an act to repeal chap. 45 of the laws of the 17th General Assembly, and to enact a substitute therefor, to establish a weather and crop service, and for the collection and dissemination of crop statistics and meteorological data.

Also, House file No. 195, an act making an appropriation for the purpose of improving the grounds of the new Capitol.

Also, House file 197, an act making appropriation for Benedict Home at Des Moines, Iowa.

Also, House file 216 an act to extend to cities of the second class having more than 3,000 population the provisions of chapter 162, acts of the 17th General Assembly.

Also, House file 265, an act to permit the Independence and Rush Park Railway Company to pass over the grounds of the State used for the Hospital for the Insane at Independence, Iowa.

Also, House file 257, an act making an appropriation for the State Normal School at Cedar Falls, Iowa, and providing a permanent endowment contingent fund for the same.

Also, Senate file 185, an act to amend section 9, chapter 21, acts of the 20th General Assembly, as amended by sec. 2, chap. 56, acts of the 22nd General Assembly, relative to escape shafts in coal mines.

Also, Senate file 426, an act legalizing and declaring valid a certain deed or conveyance of real estate situated in Davis county, Iowa, made by Chas. Parsons, executor and trustee of the last will and testament of Wm. M. McPherson, deceased, late of the city and county of St. Louis, State of Missouri, to J. D. Trebilcock.

Also, Senate file 15, an act providing for the submission of the question of calling a constitutional convention of the qualified electors of the State, as provided by section three, article ten, of the constitution of the State.

Also, Senate file No. 423 an act making appropriations for the State library.

Also, Senate file No. 418, an act to provide for the levy of one-half ($\frac{1}{2}$) mill State tax for the year 1890, for the purpose of properly meeting the necessary requirements of the several State institutions, and for other purposes.

Also, Senate file No. 429, an act authorizing boards of supervisors in certain cases to change the boundaries of townships without reference to lines of school districts.

Also, House file No. 425, an act making appropriations to help discharged convicts to an honest life.

Also, House file No. 514, an act to define the rights in certain cases of the State Agricultural Society.

Also, House file No. 297, an act making appropriations for the Iowa Industrial School, girls' department, at Mitchellville, Iowa.

Also, House file No. 340, an act making appropriations for the Penitentiary at Anamosa, Iowa.

Also, House file No. 306, an act relating to the drawing of monies from the State Treasury.

Also, House file No. 273, an act making appropriation for the Hospital for the Insane at Clarinda, Iowa.

Also, House file No. 318, an act making appropriations for the Soldiers' Orphans' Home and Home for Indigent Children at Davenport, Iowa.

Also, House file No. 337, an act making appropriations for the Institution for the Deaf and Dumb at Council Bluffs, Iowa.

Also, House file No. 374, an act to amend sections 1695 and 1696, chapter 7, title XII of the Code, relating to the Iowa Institution for the Deaf and Dumb.

Also, House file No. 410, an act making appropriations for the Penitentiary at Fort Madison, Iowa.

D. B. DAVIDSON, *Chairman*.

Senator Dodge offered the following:

Resolved, That to our retiring Lieutenant-Governor, A. N. Poyneer, the thanks of the Senate are hereby extended for his able, impartial, courteous and satisfactory administration of the duties of President of the Senate. In whatever field his future labor may be directed, the most cordial good wishes and hearty desires of the members of this Senate will attend him for the fullest measure of continued success, happiness and prosperity.

Unanimously adopted.

Senator McCoy offered the following:

Resolved, That the Secretary and First Assistant Secretary 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 seven days, and that the President of the Senate certify to said secretary and first assistant, the present *per diem* of said officials for said seven days in full for said services of said secretaries in the work as above provided, for said period.

Adopted.

House file No. 407, a bill for an act to prevent discrimination in life insurance, was taken up and considered.

Senator Brower 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 Bailey, Barrett, Bayless, Bills, Brower, Caldwell, Cleveland, Clyde, Dungan, Engle, Finn, Funk, Gatch, Gobble, Hanchett, Harsh, Kelly, Kent, Lawrence, Mack, Mattoon, McCoy, McVay, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Seeds, Shields, Smith of Linn, Vale, Weidman, Wolfe—36.

The nays were—none.

Absent or not voting:

Senators Ballingall, Barnett, Bolter, Cassatt, Davidson, Dodge, Groneweg, Kegler, Rich, Schmidt, Smith of Wright, Stewart, Taylor, Woolson—14.

So the bill passed and the title was agreed to.

BILLS ON THIRD READING.

On motion of Senator Finn the Senate took up Senate file No. 3, a bill for an act providing for the appointment of State bank examiners, fixing their fees and the payment of the same.

The question being on concurring in the House amendments.

The yeas were:

Senators Bailey, Barrett, Bayless, Bills, Brower, Cleveland, Dodge, Dungan, Finn, Funk, Gatch, Gobble, Hanchett, Harsh, Kegler, Kelly, Mack, Mattoon, McCoy, McVay, Mills, Mosnatt, Parrott, Perkins, Price, Reiniger, Seeds, Shields, Smith of Linn, Smith of Wright, Taylor, Vale, Weidman, Woolson—34.

The nays were—none.

Absent or not voting:

Senators Ballingall, Barnett, Bolter, Caldwell, Cassatt, Clyde, Davidson, Engle, Groneweg, Kent, Lawrence, Meservey, Rich, Schmidt, Stewart, Wolfe—16.

So the amendment by the House was concurred in.

On motion of Senator Hanchett House file No. 341, a bill for an act to amend chapter 154, laws of the 18th General Assembly, regulating the good time of prisoners in our penitentiaries, was taken up and considered.

Senator McCoy 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 Bailey, Barrett, Bayless, Bills, Brower, Cleveland, Davidson, Dungan, Engle, Finn, Funk, Gatch, Gobble, Harsh, Kegler, Kelly, Kent, Mack, Mattoon, McCoy, Meservey, Mills, Mosnat, Parrott, Perkins, Price, Reiniger, Seeds, Smith of Wright, Vale, Weidman, Woolson—32.

The nays were—none.

Absent or not voting.

Senators Ballingall, Barnett, Bolter, Caldwell, Cassatt, Clyde, Dodge, Groneweg, Hanchett, Lawrence, McVay, Rich, Schmidt, Shields, Smith of Linn, Stewart, Taylor, Wolfe—18.

So the bill passed and the title was agreed to.

Senator Wolfe offered the following:

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 Assembly is now ready to adjourn, and ascertain if he has anything further to communicate.

Adopted.

Senator McCoy, from Committee on Sifting Bills, submitted the following report:

MR. PRESIDENT—Your Special Committee, to whom were referred the bills and other matters pending before the Senate, beg leave to submit this 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.

BEN MCCOY, *Chairman*.

Senator Shields offered the following:

Resolved, That the thanks of this Senate are extended to Hon. A. F. Meservey for the satisfactory, courteous and impartial manner in which he has performed the duties of President *pro tempore* of the Senate.

Unanimously adopted.

The president appointed Senators Wolfe and Barrett, as committee on the part of the Senate to wait upon the Governor and notify him that the General Assembly was about to adjourn, and to ascertain if he has anything further to communicate to them.

REPORT OF STANDING COMMITTEE.

Senator Davidson, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate file 312, a bill for an act in relation to printing, binding and distribution of public reports.

Also, Senate file 128, a bill for an act to amend section 1, of chapter 121 of the laws of the 22d General Assembly.

Also, Senate file 377, a bill for an act to amend section 312 of the Code in relation to issuing bonds by counties in certain cases.

Also, Senate file 414, a bill for an act to provide for and regulate the keeping and sale of intoxicating liquors for lawful purposes and to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19, of chapter 71, laws of the 22d General Assembly.

Also, committee substitute for Senate file 468, a bill for an act to legalize the incorporation of the town of Sioux Rapids and its ordinances and the acts of its officers thereunder.

Also, Senate file 195, 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.

Also, Senate file 372, a bill for an act to protect laborers and miners for labor performed in developing and working in coal mines, additional to chap. 100, acts of the 16th General Assembly, and chap. 179, acts of the 20th General Assembly.

Also, Senate file 325, an act conferring upon cities and incorporated towns certain additional powers relating to the construction of street railways, and to define the motive power thereof.

Also, Senate file 410, a bill for act to amend chapter 25 of the laws of the 14th General Assembly, entitled an act for the encouragement of horticulture and forestry, and find the same correctly enrolled.

D. B. DAVIDSON, *Chairman*.

On motion of Senator Finn the Senate took a recess for ten minutes.

At the expiration of the time for which recess was taken the Senate was called to order again by the President.

Senator Ballingall offered the following:

Resolved, That the thanks of the Senate be returned to Mr. W. R. Cochrane, Secretary of the Senate, for the perseverance he has shown in the performance of his duties, and the courteous attention given each member of the Senate, under often very difficult matters and circumstances, and we hope that in the future walks of life he may have equal recompense with less perplexing surroundings.

Unanimously adopted.

Senator Funk presented the following:

Resolved, That the legislative mail carrier be retained under pay for three (3) three days, to deliver mail at the Capitol post-office that it may be properly forwarded.

Adopted.

The journal of Saturday, April 12, was 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 following have passed both Houses of the G. A., been reported correctly, enrolled and signed by the Speaker of the House. I herewith present them to you for your signature:

Substitute for H. F. 200.

Substitute for H. F. 462.

House file 78.

Senate file 195.

Senate file 408.

Senate file 372.

S. F. 516.

Also, I am directed to present for your signature the following bills which passed both branches of the G. A. Assembly, and been duly enrolled and signed by the Speaker of the House.

S. F. No. 414, to regulate keeping and sale of intoxicating liquors.

H. F. No. 278, appropriating money for State University.

Substitute for H. F. No. 44, appropriating money for boys' department of Reform School.

Substitute for H. F. No. 274, to protect employees.

H. F. No. 76, relating to special taxes on real estate.
H. F. No. 331, legalizing incorporation of Casey.
H. F. No. 365, legalizing the incorporation of Dyersville.
H. F. 510, appropriating money for State Dairy Commissioner.
H. F. No. 513, legalizing incorporation of town of Churdan.
Subst. for H. F. No. 277.
H. F. No. 505.
H. Fs. Nos. 467, 506, 22, 175, 343, 431.
And Senate files Nos. 377, 312 and 128.
S. F. 325.
H. F. 407.
H. F. 33.

H. S. WILCOX, *Chief Clerk.*

Also, I am directed to inform your honorable body that the House has concurred in the following concurrent resolution:

Relative to additional printing.

Also, that the House has concurred in the following Senate bills:

Senate file No. 391, a bill for an act relating to certain additional justices of the peace and constables, legalizing their official acts, and the official acts of canvassing boards with reference therefor.

Also, Senate file No. 395, a bill for an act to legalize the incorporation of the "Deep River Farmers' Alliance Stock Company," at Deep River, Poweshiek county, Iowa, the election of its officers, and all acts done by it.

Also, Senate file No. 415, for an act in reference to the erection of a State soldiers' monument, etc.

H. S. WILCOX, *Chief Clerk.*

Senator Davidson, from Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate file No. 391, an act relating to certain additional justices of the peace and constables, legalizing their official acts, and the official acts of canvassing boards with reference thereto.

Also, Substitute for Senate file No. 3, an act providing for the appointment of State Bank Examiners, fixing their fees and the payment of the same.

Also, substitute for Senate file No. 415, act in reference to the erection of a State Soldiers' Monument, Arch Memorial Hall, or hall and monument combined.

Also Senate file No. 395, an act to legalize the incorporation of the Deep River Farmers' Alliance Stock Company, at Deep River, Poweshiek county, Iowa, the election of its officers and all acts done by it.

Also, Senate file No. 386, an act to apply the provisions of chapter 58, Seventeenth General Assembly, and amendments thereto, to existing bonded indebtedness of counties, cities and towns, and find the same correctly enrolled.

D. B. DAVIDSON, *Chairman.*

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 G. A., been duly enrolled and signed by the Speaker of the House:

H. F. 341, substitute for H. F. 174.

S. F. 416, 391, 3, 395.

J. A. SHELTON, *1st Assistant 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 Speaker of the House has appointed the following committee on the part of the House to notify the Governor under the concurrent resolution relative to final adjournment: Messrs. Dent and Hobbs.

H. S. WILCOX, *Chief Clerk.*

Senator Davidson, 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:

Senate file 325, an act conferring upon cities and incorporated towns certain additional powers relating to the construction of street railways and to define the motive power thereof.

Also, House file 407, an act to prevent discrimination in life insurance.

Also, House file 33, an act to establish an industrial home for the adult blind.

Also, House file 463, an act to apportion the State into Representative districts, and declaring the ratio of the representation.

Also, Senate file 372, an act to protect laborers and miners for labor performed in developing and working in coal mines, additional to chapter 100, acts of the Sixteenth General Assembly, and chapter 179, acts of the Twentieth General Assembly.

Also, House file 331, an act to legalize the incorporation of the town of Casey, Guthrie county, Iowa, the election of its officers, and all the acts done and the ordinances passed by the council of said town.

Also, Senate file 410, an act to amend chapter 25 of the laws of the 14th General Assembly, entitled an act for the encouragement of horticulture and forestry.

Also, House file No. 506, an act to legalize the action of the city council of the city of Keokuk, granting to John C. Hubinger, and to his successors and assigns, the privilege to such in the streets and alleys of said city the necessary poles, wires and condits to properly maintain and operate an electric system for furnishing an electric light and power to the inhabitants of the city of Keokuk.

Also, House file 467, an act to amend chapter 97 of the 18th General Assembly, entitled an act to legalize the organization of the independent school district of Red Rock, Red Rock township, Marion county, Iowa, and to establish the boundaries thereof.

Also, House file 278, an act making an appropriation for the State University at Iowa City.

Also, House file 44, an act making appropriation for the Iowa Industrial School, boys' department, at Eldora, Iowa.

Also, House file No. 274, an act to protect employes and laborers in their claim for wages.

Also, House file No. 76, an act entitling persons paying special taxes assessed upon real estate for the improvement of streets in cities existing under special charters, having a population of 20,000, under the census of 1885, to be credited with the amount of such special tax so paid upon any general road or street tax charged against them on account of same real estate.

Also, House file No. 33, an act to establish an industrial home for adult blind.

Also, Senate file 377, an act to amend section 312, of the Code, in relation to issuing bonds by counties in certain cases.

Also, House file No. 431, an act to legalize the incorporation of the First Congregational Church in Toledo, Tama county, Iowa.

Also, House file No. 343, an act to legalize the re-incorporation of the town of Hartley, county of O'Brien and State of Iowa.

Also, House file 175, an act to legalize the incorporation of the town of Galva, and the acts of said town done and performed thereunder.

Also, House file 22, an act making appropriations for the Hospital for the Insane at Independence.

Also, Senate file No. 414, an act to provide for and regulate the keeping and sale of intoxicating liquors for lawful purposes, and to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19, chapter 71, laws of the Twenty-second General Assembly.

Also, Senate file 312, an act in relation to printing, binding and distribution of public reports.

Also, Senate file 128, an act to amend section one, chapter one hundred and twenty-one, of the laws of the Twenty-Second General Assembly.

Also, House file 516, an act to make appropriations for the payment of State officers, State expenses and other bills.

Also, House file 407, an act to prevent discrimination in life insurance.

House file No. 510, an act providing an appropriation for conducting the office of the State dairy commissioner, and for paying the expense thereof.

Also, House file No. 365, an act to legalize the incorporation and the official proceeding of the town of Dyersville, in the county of Dubuque, and State of Iowa.

Also, House file No. 200, an act authorizing and empowering the boards of directors of school districts to purchase text-books, and allowing the electors of districts and counties to decide the question of uniformity, and to provide means and authority for purchase of school books and supplies.

Also, Senate file 408, an act to legalize the incorporation of the town of Sioux Rapids, and its ordinances and the acts of its officers thereunder.

Also, Senate file 195, 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.

Also, House file No. 78, an act to amend section 2272 of the Code of 1873, and to provide for appointing guardians of the person of habitual drunkards, and for the custody, restraint, and confinement of habitual drunkards, and their reformation, under orders of the district court or the judge thereof, and for terminating such guardianship.

Also, Senate file 395, and act to legalize the incorporation of the Deep River Farmers' Alliance Stock Company, at Deep River, Poweshiek county, Iowa, the election of its officers, and all acts done by it.

Also, Senate file No. 3, an act providing for the appointment of State bank examiners, fixing their fees and the payment of the same.

Also, Senate file 391, an act relating to certain additional justices of the peace and constables, legalizing their official acts and the official acts of canvassing boards with reference thereto.

Also, House file 505, an act to legalize the granting of a franchise for electric lights by the city of What Cheer, Iowa.

Also, House file 279, an act making appropriations for the State Agricultural College.

Also, House file 513, an act to legalize the official acts of the town council ordinances and records of the incorporated town of Churdan, Greene county, Iowa.

Also, House file 510, an act providing an appropriation for conducting the office of the State Dairy Commissioner, and for paying the expenses thereof.

Also, Senate file No. 415, an act in reference to the erection of a State soldiers' monument, arch, memorial hall, or hall and monument combined.

House file No. 341, an act to amend chapter 154, laws of the 18th General Assembly, regulating the good time of prisoners in our penitentiaries.

House file 174, an act for the punishment of pools, trusts, combinations and conspiracies, and as to evidence in such cases.

House file 365, an act to legalize the incorporation and the official proceedings of the town of Dyersville, in the county of Dubuque and State of Iowa.

D. B. DAVIDSON, *Chairman.*

Senator Wolfe, with the Special Committee on the part of the House, appeared and reported that they had called upon the Governor and had delivered to him the message as directed by the 23d General Assembly set forth by concurrent resolution, and that the Governor had notified them that he had no further communication to make to this General Assembly.

Lieutenant-Governor Poyneer then addressed the Senate substantially as follows:

As the hour for the final adjournment of the General Assembly approaches, I feel that I cannot let the opportunity pass without congratulating the Senate on the good work you have accomplished this winter. Owing to a condition of things over which the Senate had no control, and for which they were in no wise responsible, nearly one half of the time of an ordinary session of the legislature had passed before the organization of both branches was perfected, and the real business of the session was commenced. The time for legislative work has been much shorter than usual. Notwithstanding this, I am satisfied that the work of the session now about to close, will compare favorably with that of other sessions of the General Assembly. In all my experience as a member of this body I can safely say that I have never seen more hard work done in the same length of time than has been done both in the Senate and in the committee during the session of 1890. You certainly merit, if you do not receive, the commendation, "Well done, good and faithful servants."

It seems to be one of the prerogatives of the American people to criticise the acts of their public servants, and you must not expect to escape your full share of such criticism. The village oracle, who has spent his winter months whittling the dry goods box in the village store, and the astute editor in want of an item will both note the fact that the legislature has adjourned; that that is about the only good thing you have done this winter; that the people ought to be truly thankful therefor, and other like complimentary remarks, but you can congratulate yourselves, that the very same criticisms have been passed on every General Assembly since Iowa became a State.

And yet there is no other State can show a better code of laws, or a better condition of things in every respect as the result of legislation than can this fair State of Iowa. You, too, will in time receive the full meed of praise which is your due, for your part of the work of perfecting her laws and maintaining and extending her institutions.

I cannot close without expressing my sincere thanks to each and every one of you, and also to the very able and efficient corps of secretaries and clerks who have surrounded my desk this winter, and also to all of the officers and employes around the Senate Chamber for the uniform courtesy, kindness and forbearance with which I have been treated as your presiding officer. You have made my task an easy and pleasant one. I have undoubtedly made many mistakes, but your kindness and forbearance have led you to overlook them. If I have at times seemed arbitrary in my rulings, your friendship has caused you to submit without complaint. For all this kindness on your part I thank you from the bottom of my heart.

However much our pathways in life may hereafter diverge I hope that whenever and wherever we may meet, we may always meet and part as friends.

The hour of 12 o'clock, noon, having arrived, the President adjourned the Senate *sine die*.

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ERRATA.

On page iv: Insert ¶ after name of William G. Kent; and add to foot note on page v the words: "Senator Kent was also a Senator in the Twenty-second General Assembly."

On page xi: The reference of S. F. 115 is to be found on page "101," and not on "100."

On page xx: S. F. 357 is said to be reported on page 524. The correct page is "424."

On page xxv: Under Concurrent Resolution by McVay, relative to final adjournment, page "270" should be "268."

On page xxix: The name "Krestling" should be "Krestring."

On page 119: After motion of Senator Barnett to adopt report of committee on selection of mail-carrier, insert the word "Carried."

On page 139: In afternoon session, under "House messages," in second paragraph, the word "resolutions" should read "amendments."

On page 236: At foot of page, where Senator Gobble is said to introduce "Senate File No. 315," it should read "314."

On page 237: At top of page, Senate File No. "215" should read "315."

On page 281: At foot of page, Senator Smith of Wright moved to take up Senate File No. "135," instead of "103."

On page 382: The words "Committee substitute for Senate File No. 163" are out of place. They should appear following the report of Committee on Charitable Institutions, and before the words "A bill" on page 383.

On page 368: The last Senate File in report of Committee on Enrolled Bills should read "Senate File No. 368."

On page 407: For "Rev. B. F. W. Crozier," read "Rev. B. F. W. Cozier."

On page 423: The third report from the Committee on Educational Institutions reads "Senate File No. 234"; it should be "Senate File No. 235."

On page 451: The word "minority" in bottom line should be "majority."

On page 457: "Senate File No. 202" should read "Senate File No. 302."

On page 459: After "Senate File 363," "taken up and considered," the words "Of the committee was adopted" are superfluous.

On page 460: "Senate File No. 293" should read "Senate File No. 363."

On page 481: The words "passed with amendments," in seventh line from bottom of page are out of place. They should appear in the next line, immediately after "No. 222."

On page 514: In second report from Committee on Insurance, "Senate File No. 366" should read "Senate File No. 368."

On page 574: The bill referred to in the fourth committee report was "No. 31," instead of "No. 30," as printed.

On page 577: The number of nays at bottom of page should be "29."

On page 585: At top of page, "Senate File No. 464" should be "House File No. 464."

On page 606: Second bill from top of page should be "Senate File No. 411."

On page 621: In first message from the House, substitute for H. F. No. "194" should read "197."

On page 628: Committee bill from Committee on Agriculture should be "Senate File No. 428."

On page 630: Second number in second report from Committee on Elections should be "345."

On page 649: In eighth line read "House File No. 216." instead of "Senate File No. 216."

On page 650: The following should appear before "Message from the House": "Senator Weldman presented memorial of Union Grange No. 1618, asking for cost-bonds."

On page 657: In first report from Committee on Public Health, the recommendation should read "that it do not pass."

On page 663: In report of Committee on Sifting Bills, Senate File No. 252 was reported, and not "253," as printed.

On page 713: In report from Committee on Enrolled Bills, after the word "examined," insert the words "and find correctly enrolled."

On page 742: Near foot of page, substitute for House file "No. 154" should read "No. 174."

On page 747: House Message concerning S. F. No. 34 reads "House has referred to pass." It should be "House has refused to pass."

On page 749: At top of page before "Senator Gatch moved to reconsider, etc.," insert, "So the bill was ordered engrossed."

On page 760: First bill in message from the House should read "No. 325."

On page 766: Report from Committee on Enrolled Bills, relative to Committee substitute for "Senate file 468," should read "committee substitute for Senate file 408."

On page 767: In Message from the House, "S. F. 516" should read H. F. 516."

On page 769: In Message from the House, last paragraph, "S. F. 416" should read "S. F. 415" or "S. F. 410."

On page 773 (first of index): The line beginning "Agricultural Society" should read as follows: "Agricultural Society—Bills defining rights of, S. F. 428, H. F. 514."

On page 779: Under head of "Cities"—"underspecial charter," insert in last line "S. F. 237," before "H. F. 76."

On page 781: Insert between second and third lines a new line, reading "1761-2. to repeal, Senate File 33."

On page 794: In thirteenth line read "Kresting" instead of "Krestling."

On page 799: Insert between the twenty-third and twenty-fourth lines a new item, as follows: "Oils—Inspected in other States, see S. F. 232."

On page 804: In twentieth line, beginning "Bills relating to joint rates," insert "96." before "196."

On page 813: In twenty-second line from bottom, beginning "28:" insert "96," before "196."