JOURNAL OF THE SENATE

OF THE

Thirty-first General Assembly

OF THE

STATE OF IOWA

WHICH CONVENED AT THE CAPITOL AT DES MOINES
JANUARY 8, 1906, AND ADJOURNED SINE
DIE APRIL 6, 1906.

DES MOINES
BERNARD MURPHY, STATE PRINTER
1906

OFFICERS OF THE SENATE.

President:

JOHN HERRIOTT,

Stuart, Guthrie County.

President Pro Tempore:

JAMES A. SMITH,

Osage, Mitchell County.

Secretary:

GEO. A. NEWMAN,

Cedar Falls, Black Hawk County.

First Asst. Secretary.....Geo. A. Wilson, Menlo, Adair County
Second Asst. Secretary.....John L. Gillespie, Nevada, Story County.
Engrossing Clerk.....Lois M. Rigby, Davenport, Scott County.
Enrolling Clerk .....Inez Black, Knoxville, Marion County.
Journal Clerk .....Cecil Dixion, Rockwell City, Calhoun County.
Journal Clerk.....J. S. Irish, Des Moines, Polk County.
Sergeant-at-Arms.....R. B. Huff, Muscatine, Muscatine County.
File Clerk.....Thos. Brown, Blencoe, Monona County.
Bill Clerk.....Della Clary, Des Moines, Polk County.
Postmistress .....Nellie Stevenson, Jefferson, Greene County.
Doorkeeper.....I. L. Hammer, Kellogg, Jasper County.

THE SENATE OF THE THIRTY-FIRST GENERAL ASSEMBLY.

Dist.	Name.	P. O. Address.	Counties in District.	Occupation.	Nativity.	Years in Ia.	Age.
46	Bleakly, John L.	Ida Grove	Cherokee, Ida, Plymouth.	Retired Merchant	Ireland	33	4
12	Brooks, John T.*	Hedrick	Keokuk, Poweshiek.	Farmer and Banker	Iowa	55	55
18	Bruce, James E.*	Atlantic	Cass, Shelby.	Attorney and Banker	Iowa	45	45
38	Courtright, O. B.*	Waterloo	Black Hawk, Grundy.	Lawyer	Illinois	46	56
35	Crawford, P. W.*	Dubuque	Dubuque.	Lawyer	Vermont	66	74
16	Crossley, J. J.	Winterset	Adair, Madison.	Lawyer	Iowa	36	36
30	Dowell, Cassius C.*	Des Moines	Polk.	Lawyer	Iowa	41	41
33	Dunham, Geo. W.	Manchester	Buchanan, Delaware.	Attorney	Iowa	47	47
28	Eckles, Charles	Marshalltown	Marshall.	Ret Frmr and Stock	England	40	65
2	Elerick, James	Douds Leando	Jefferson, Van Buren	Farmer and Stock	Ohio	51	67
31	Ericson, C. J. A.	Boone	Boone, Story.	Banker	Sweden	46	65
43	Gale, A. H	Mason City	Cerro Gordo, Franklin, Hancock.	Banker	Iowa	41	41
48	Garst, Warren*	Coon Rapids	Carroll, Greene, Sac.	Merchant	Ohio	39	54
8	Gilliland, Shirley	Glenwood	Mills, Montgomery.	Attorney	Iowa	49	49
13	Harper, Sam'l H.*	Ottumwa	Wapello.	Wh. Merchant & Bnkr	Ohio	52	62
37	Hartshorn, F. C.*	Clarion	Hamilton, Hardin, Wright.	Bnkr & Real Estate	Iowa	48	48
4	Hasselquist, R. A.	Charlton	Lucas, Wayne.	Merchant	Sweden	37	55
21	Hayward, W. C.*	Davenport	Scott.	Manufacturer	New York	41	58
34	Hogue, Ernest L.*	Blencoe	Crawford, Harrison, Monona.	Farmer	Iowa	42	42
17	Hopkins, Frank M.	Guthrie Center	Audubon, Dallas, Guthrie.	Banker	Iowa	51	51
25	Hughes, John Jr.	Williamsburg	Iowa, Johnson.	Lumber Dealer	Ohio	49	64
32	Jackson, John H.	Sioux City	Woodbury.	Lawyer	Wisconsin	22	42
11	Jamison, James H.	Osceola	Clarke, Warren.	Attorney	Iowa	45	45
14	Jones, Wm. G.	Oskaloosa	Mahaska.	Lawyer	Iowa	44	44
49	Kimmel, Wm. C.	Sheldon	Lyon, O'Brien, Osceola, Sioux.	Farmer and Stock	Pennsylvania	22	52

47	Kinne, George	Curlew	Clay, Dickinson, Emmet, Kossuth, Palo Alto	Farmer	Wisconsin	25	45
23	*Lambert, Thomas*	Sabula	Jackson	Publisher	Iowa	50	50
7	Lewis, Lester W.*	Clarinda	Fremont, Page	Banker	Illinois	23	45
24	*Lyons, D A.**	Cresco	Howard, Winneshiek	Implement Dealer	Illinois	39	54
29	Maytag, Fred L.*	Newton	Jasper	Manufacturer	Illinois	38	48
20	Molsberry, F. M.*	Columbus Junction	Louisa, Muscatine	Lawyer	Iowa	39	39
36	Newberry, Byron W.	Strawberry Point	Clayton	Lawyer	Ohio	50	52
19	Saunders, Chas. G	Council Bluffs	Pottawattamie	Lawyer	New York	37	44
9	*Smith, Fred N.**	Burlington	Des Moines	Farmer and Banker	Iowa	56	56
41	Smith, James A	Osage	Mitchell, Winnebago, Worth	Lumberman	New York	36	54
44	Spaulding, E. C.*	Marble Rock	Chickasaw, Floyd	Farmer	New Hampshire	35	67
24	*Stirton, Robt. C*	Monticello	Cedar, Jones	Banker	Scotland	34	44
5	Stookey, Marion F	Leon	Decatur, Ringgold, Union	Lawyer	Indiana	48	59
26	Stuckslager, W. C.	Lisbon	Linn	Banker	Iowa	36	36
3	*Taylor, Lewis L*	Centerville	Appanoose, Davis	Bank Cashier	Kentucky	56	62
6	Turner, Daniel W	Corning	Adams, Taylor	Merchant	Iowa	28	28
39	*Wade, John F*	Aredale	Bremer, Butler	Farmer	Vermont	42	47
15	Warren, J. L	Pella	Marion, Monroe	Lawyer	Iowa	44	44
45	Whipple, Wm. P.*	Vinton	Benton, Tama	Lawyer	Iowa	48	48
40	Wilson, A. C	Oelwein	Alamakee, Fayette	Druggist	Canada	27	47
22	*Wilson, John L.**	Almont	Clinton	Farmer and Stock	Iowa	48	48
50	Winne, E. K.*	Humboldt	Buena Vista, Humboldt, Pocahontas	Real Estate	Iowa	31	31
1	*Youug, David A.**	Argyle	Lee	Farmer and Stock	Illinois	45	53
27	Young, Henry	Manson	Calhoun, Webster	Physician	Illinois	33	59
10	Young, John A *	Washington	Henry, Washington	Banker	Indiana	62	67

*Elected to full term, 1901.

Republicans in roman—42. Democrats in italic—8.

ADDITIONAL INFORMATION.

Former Legislative Service. All members of the present senate served during the 30th General Assembly. Those having additional legislative service are as follows:—Brooks, S. 29; Bruce, S. 29; Courtright, S.29; Crawford, S. 29: Crossley, S. 28, 29; Dowell, H. 25, 26, S. 29; Dunham, H. 28, 29; Eckles, H. 22, 23; Elerick, H. 19; Ericson, H. 14, S. 26, 27; Garst, S. 25, 26, 27, 28, 29; Harper, S. 29; Hartshorn, S. 29; Hasselquist, H. 28, 29; Hayward, S. 27, 28, 29; Hogue, S. 29; Hopkins, S. 28, 29; Hughes, H. 27, 28, 29; Jamison, S. 24, 25; Jones, H. 28, 29; Lambert H. 26, 27, S. 28, 29; Lewis, H. 22, 23, S. 24, 25, 29; Lyons, S. 27, 28, 29; Maytag, S. 29; Molsberry, S. 29; Saunders, elected to fill vacancy in S. 29; Smith, (Fred N.) elected to fill vacancy in S. 28, 29; Smith (James A.), H. 22, 23, S 28, 29; Spaulding, H. 24, 25, 26, S. 29; Stuckslager, H. 28, 29; Warren, H. 28, 29; Whipple, S. 29; Wilson, (John L.), H. 25, 26; S. 27, 28, 29; Winne, S. 29; Young (D. A.), S. 27, 28, 29; Young, (Henry), H. 24, 25; Young, (John A.), S. 29.

Military Service.—Crawford, 1st Lieut., 3d Iowa Inft., Captain 4th U. S. Vet. Vol. Inft; Eckles, Private, Sergeant, 2d Lieut. and Captain Co. D. 34th Ills. Vet. Vol. Inft; Elerick, Captain Co. A. 59th Ills. Vet. Vol. Inft; Harper, Corporal Co. B. 36th Iowa Inft; Captain 46th U. S. C. T.; Hughes, Sergeant Co. G. 28th Iowa Inft; Stookey, Private Co. C. 47th Iowa Inft; Turner, Corporal Co. K, 51st Iowa Inft. S. A. W; Young (John A.), Captain Co. A, 25th, Iowa Inft.

Education.—Rural School:—Bleakly, Garst, Hogue, Kimmel, Lyons, Maytag, Young, (D. A.)
Common School:—Ericson, Lambert, Smith, (J. A.)
Graded School:—Eckles, Elerick, Taylor, Wade.
High School:—Hasselquist, Hughes, Kinne, Stirton, Wilson, (A. C.)
Business College:—Wilson, (J. L.) Winne.
Academy:—Smith, (F. N.), Spaulding, Turner, Young, (Henry.)
College:—Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Gale, Gillilland, Harper, Hartshorn, Hayward, Hopkins, Jackson, Jamison, Jones, Lewis, Molsberry, Newberry, Saunders, Stookey, Stuckslager, Warren, Whipple, Young, (John A.)

Married, 43. Single: Dowell, Elerick, Gale, Hogue, Jackson, Winne- 6. Widower, Erickson- 1.

SCHEDULE.

Showing the bills which, as originally introduced or as modified by amendments, became laws, with date of approval by the Governor and the chapter number of the session laws of the Thirty-first General Assembly.

Engrossed bill.	GENERAL LAWS.	Chapter.
S. F. 178	An act to amend section eighteen (18) and nineteen (19) provisions relating to the code and subsequent statutes in relation to county auditor's reports to the state auditor, of codes, supplements to the code, and session laws furnished by the secretary of state to county auditors. Approved April 5, A. D. 1906.....	1
S. F. 254	An act to amend chapter one (1) of the acts of the Twenty-seventh General Assembly, relating to the publication of the laws of the State of Iowa. Approved April 5, A. D. 1906	2
S. F. 173	An act to amend sections seventy (70), seventy-one (71) and one hundred and forty-one (141) of the code, and to repeal the law as it appears in section one hundred and twenty-five (125) of the supplement to the code and enact a substitute therefor and to repeal the law as it appears in section one hundred and twenty-six (126) of the supplement to the code, as amended by chapter five (5) of the acts of the Thirtieth General Asesmbly, and enact a substitute therefor and to amend the law as it appears in section twenty-six hundred and twenty-two (2622) of the supplement to the code, relating to printing and binding. Approved March 23, A. D. 1906.....	3
S. F. 44	An act to amend section eighty-eight (88) of the code, relating to the clerk of the state land office. Approved March 16, A. D. 1906.....	4
H. F. 329	An act to amend section one hundred and twenty-two (122) of the code, relating to biennial reports of officers. Approved March 23, A. D. 1906.....	5
H. F. 52	An act to repeal section one hundred thirty-seven (137), of the code, relative to the publication and distribution of the proceedings of the Iowa state teachers' association and to enact a substitute therefor. Approved March 30, A. D. 1906.....	6
S. F. 165	An act to amend section one hundred and thirty-eight (138) of the code, in relation to printing the docket for the supreme court. Approved March 30, A. D. 1906.....	7
H. F. 331	An act to amend section one hundred forty-six (146) of the code, relating to the term of office of the custodian of public buildings. Approved April 10, A. D. 1906.....	8
H. F. 244	AN ACT to amend sections two thousand three hundred and fifty-nine (2359), five hundred and fifty-five (555), two thousand seven hundred and fifty-five (2755), two thousand eight hundred and twenty-eight (2828), two thousand eight hundred and forty-one (2841), one thousand eight hundred sixty-four (1864), two thousand and ninety-three (2093), two hundred and thirty-two (232), three thousand three hundred and seven (3307), three thousand four hundred and three (3403), four thousand and twenty-four (4024), three hundred and ninety-nine (399), four hundred (400), four hundred and forty-six (446), one thousand nine hundred and forty (1940), one thousand nine hundred and forty-four (1944), one thousand nine hundred and eighty-one (1981), two	9

Engrossed bill.	GENERAL LAWS—Continued.	Chapter.
	thousand three hundred and seventy-two (2372), two thousand three hundred and seventy-four (2374), six hundred (600), six hundred and eight (608), six hundred and eleven (611), six hundred and fifteen (615), six hundred and thirty-three (633), nine hundred and twenty-six (926), two thousand and three (2003), five thousand six hundred and twenty-six (5626), of the code, to amend the law as it appears in section six hundred and two (602), of the supplement to the code and to amend section three (3) of chapter one hundred and fourteen (114), section eight (8) of chapter sixty-eight (68), and section three (3) of chapter forty-three (43), acts of the Thirtieth General Assembly; relating to legal publications. Approved April 10, A. D. 1906	
S. F. 352	An act repealing the law as it appears in section two hundred fifty-six-a (256-a) of the supplement to the code, relating to the election and terms of judges of the superior court and enacting a substitute therefor. Approved April 30, A. D. 1906	10
H. F. 53	An act to amend section three hundred and eight (308) of the supplement to the code relating to the compensation of county attorney. Approved April 9, A. D. 1906	11
S. F. 342	An act to amend section four hundred and ten (410), and to repeal section four hundred and eleven (411), of the code, and to enact a substitute therefor, relating to the election and terms of office of county supervisors. Approved April 10, A. D. 1906	12
S. F. 187	An act to amend division twenty (20) of section four hundred and twenty-two (422) of the code relating to the powers of the board of supervisors. Approved March 21, A. D. 1906	13
S. F. 159	An act to amend the law as it appears in section seven hundred and twenty-nine (729) of the supplement to the code, and four hundred and twenty-two (422) of the code, relating to powers of trustees of public libraries and to provide for the use of same by residents outside the corporate limits of the town or city in which the library is located. Also additional to title four (4) chapter ten (10) of the code, relating to powers of township trustees. [Also additional to chapter four (4) of title five (V) of the code relating to general powers of cities and towns.] Approved April 5, A. D. 1906	14
S. F. 16	An act to amend the law as it appears in section four hundred and forty-one (441) of the supplement to the code in relation to official newspapers. Approved April 10, A. D. 1906	15
H. F. 203	An act to amend section four hundred and ninety-eight (498) of the code, requiring county recorders to keep a fee book and make a permanent record of all fees charged. Approved April 10, A. D. 1906	16
H. F. 32	An act to amend section five hundred eighty-five (585) of the code relating to townships and township officers. Approved February 26, A. D. 1906	17
H. F. 366	An act relative to the transfer of funds raised by township for the purpose of building public halls. Additional to chapter ten (10) title four (4) of the code, [relating to townships and township officers.] Approved April 10, A. D. 1906	18
S. F. 62	An act amending section six hundred and twenty-two (622) of the code in relation to the severance of territory from towns and cities. Approved February 17, A. D. 1906	19
H. F. 275	An act to amend section seven hundred and twenty-two (722) of the code, relative to the condemnation of property by cities and towns, for the purpose of constructing and maintaining dams across the waters and water courses of the state, in forming reservoirs and sources of water to supply water works or plants. Approved March 30, A. D. 1906	20
S. F. 61	An act to repeal the law as it appears in section seven hundred and thirty-two (732) of the supplement to the code, and to repeal chapter thirty-eight (38) of the laws of the Thirtieth General Assembly, and to enact substitutes therefor, relative to the levy of taxes for library purposes. Approved March 30, A. D. 1906.	21

Engrossed bills.	GENERAL LAWS—Continued.	Chapter
H. F. 331	An act providing for the creation of a hospital board in cities having a population over twelve thousand five hundred, and providing for the construction and maintaining of a hospital therein, and authorizing the creation of an indebtedness therefor and the levy of a tax upon the property in such cities for the payment of said indebtedness, and providing certain conditions under which an indebtedness for this purpose may in cities of the seoond class exceed one and one-fourth per centum of the actual valuation of property in such cities. [Additional to chapter four (4) of title five (V) of the code, relating to general powers of cities and towns.] Approved April 9, A. D. 1906	22
S. F. 134	An act to amend the law as it appears in section seven hundred and forty-five (745) of the supplement to the code, relating to the purchase or erection of water works by cities and conferring additional powers with reference thereto. Approved April 5, A. D. 1906	23
H. F. 187	An act to repeal chapter thirty-one (31) of the laws of the Thirtieth General Assembly and to enact a substitute therefor relating to sewers in cities and in incorporated towns. Approved April 9 A. D. 1906	24
S. F. 349	An act to amend section eight hundred one (801) of the code relating to street improvements, sewers and preliminary notices of sewer improvements. Approved April 9, A. D. 1906	25
H. F. 283	An act granting additional powers to cities of the first class in levying taxes and providing means for the making, reconstruction, or repair of main sewers, defining main sewers, and making certain parts of the code applicable thereto. [Additional to chapter seven (7) of title five (V) of the code, relating to street improvements, sewers and special assessments.] Approved April 9, A. D. 1906	26
S. F. 218	An act to amend section eight hundred fifty-five (855) of the code, relative to park commissioners and their powers. Approved April 5, A. D. 1906	27
S. F. 224	An act to amend the law as it appears in chapter thirty-six (36) of the laws of the Thirtieth General Assembly relating to park commissioners. Approved April 5, A. D. 1906	28
H. F. 214	An act to amend section nine hundred and two (902) of the code, [relative to certification and collection of city or town assessments and taxes and the payment thereof to the city or town.] Approved March 23, A. D. 1906	29
H. F. 286	An act to amend sections nine hundred and twenty-two (922), nine hundred twenty-three (923), and nine hundred twenty-four (924) of the code relating to the platting of land by the county auditor. Approved April 5, A. D. 1906	30
H. F. 107	An act to amend section nine hundred and seventy-five (975) of the code relating to delinquent taxes in cities under special charter. Approved March 15, A. D. 1906	31
H. F. 196	An act in relation to penalty on unpaid taxes in cities acting under special charters. [Additional to chapter fourteen (14) of title five (V) of the code, relating to cities under special charter.] Approved April 5, A. D. 1906	32
H. F. 208	An act relating to the assessment and taxation of property in special charter cities. [Additional to chapter fourteen (14) of title five (V) of the code,] and providing that section thirteen hundred and five (1305) of the code shall not apply to such cities. Approved March 23, A. D. 1906	33
S. F. 152	An act to provide for the publication of municipal accounts and to establish an uniform system of accounts, reports and audit in cities and towns. [Additional to title five (V) of the code relating to city and town government.] Approved April 5, A. D. 1906.	34

Engrossed Bills.	GENERAL LAWS--Continued.	Chapter.
H. F. 338	An act to secure in matters of religion a free exercise of religious preference and practice to all inmates of state, county and city institutions maintained for the detention of persons held by committal or confinement in any state, county or city institution whether penal, correctional, charitable or educational, or in any place of confinement maintained and supported by public funds. [Addititional to titles five (V), twelve (XII), thirteen (XIII), and twenty-six (XXVI) of the code.] Approved April 10, A. D. 1906	35.
H. F. 330	An act to repeal sections one thousand and fifty-seven (1057), one thousand and sixty-four (1064), one thousand and sixty-five (1065), one thousand and sixty-six (1066), one thousand and seventy (1070), and one thousand and seventy-one (1071), and to enact snbstitutes therefor, relating to the election of officers and the terms of office. Approved April 10, A. D. 1906	36
H. F. 359	An act to amend section ten hundred and sixty (1060) of the code, and to repeal section ten hundred and seventy-four (1074) of the code and to enact a substitute therefor, relating to the election and terms of office of township trustees. Approved April 10, A. D. 1906	37
H. F. 364	An act to repeal section one thousand sixty-eight (1068) of the code relative to railroad commissioners, and to enact a substitute therefor. Approved April 10, A. D. 1906	38
H. F. 334	An act to repeal section one thousand and seventy-two (1072) of the code and to enact a substitute therefor, relating to the term of office of county officers. Approved April 10, A. D. 1906	39
H. F. 47	An act to amend section ten hundred and seventy-six (1076) of the code relating to the registration of voters. Approved February 6, A. D. 1906	40
S. F. 300	An act to amend section one thousand seventy-six (1076) of the code, relative to the registration of voters. Approved March 30, A. D. 1906	41
H. F. 332	An act to amend section ten hundred and ninety-three (1093) of the code, relating to election boards. Approved March 23, A. D. 1906	42
H. F. 362	An act to amend the law as it appears in section eleven hundred and six (1106) of the supplement to the code relating to the form of ballots to be used at elections. Approved April 10, A. D. 1906	43
S. F. 43	An act to amend sections eleven hundred and nine (1109), eleven hundred and twenty (1120), and eleven hundred and twenty-one of the code, and to amend the law as it appears in sections eleven hundred and six (1106) and eleven hundred and nineteen (1119) of the supplement to the code, relating to elections, form of, and manner of marking the ballots. Approved March 15, A. D. 1906	44
H. F. 387	An act to amend sections two (2) and five (5) of chapter forty (40) of the acts of the Thirtieth General Assembly, relating to primary elections. Approved April 6, A. D. 1906	45
H. F. 153	An act to amend section seven (7) chapter forty (40) of the acts of the Thirtieth General Assembly of the state of Iowa, relating to primary elections and the manner in which candidates may procure their names to be placed on the primary ticket; [and to amend section two (2) of chapter forty (40) of the acts of the Thirtieth General Assembly, relating to the time of closing the polls.] Approved March 10, A. D. 1906	46
S. F. 295	An act to amend section twelve hundred and ninety-three (1293) of the code, relative to the publication of the official ballot. Approved April 10, A. D. 1906	47
S. F. 283	An act to amend section thirteen hundred and four (1304) of the code, so as to exempt from taxation the accumulations and funds of fraternal beneficiary associations. Approved April 10, A. D. 1906	48

Engrossed bills	GENERAL LAWS—Continued.	Chapter.
H. F. 119	An act to repeal section thirteen hundred and six-b (1306-b) of the supplement to the code, and chapter forty-three (43) of the acts of the Thirtieth General Assembly, and to enact a substitute therefor relating to the limit of indebtedness of municipal corporations. Approved March 30, A. D. 1906	49
S. F. 336	An act to amend section thirteen hundred and twenty-two (1322) of the code, relating to the taxation of national, state and savings banks and shares of stocks therein. Approved April 10, A. D. 1906	50
S. F. 231	An act to repeal section thirteen hundred and ninety-one (1391) of the code, relating to delinquent taxes and to enact a substitute therefor. Approved April 10, A. D. 1906	51
H. F. 209	An act to encourage the planting of forest and fruit trees in the state of Iowa. [Additional to chapter one (1) of title seven (VII) of the code relating to assessment of taxes.] Approved April 10, A. D. 1906	52
S. F. 60	An act to amend section one thousand four hundred and seven (1407) of the code relating to the collecting of delinquent taxes. Approved February 26, A. D. 1906	53
S. F. 125	An act to amend section one thousand four hundred sixty-seven (1467) of the code, relative to assessment and collection of collateral inheritance tax. Approved February 26, A. D. 1906.	54
S. F. 122	An act to amend section one thousand four hundred sixty-seven (1467) of the code relating to assessment and collection of collateral inheritance tax. Approved March 10, A. D. 1906	55
H. F. 39	An act to amend section fifteen hundred and thirty (1530) of the supplement to the code, giving boards of supervisors power to levy additional mill. Approved April 5, A. D. 1906	56
S. F. 138	An act to amend the law as it appears in section fifteen hundred and thirty-three (1533) of the supplement to the code. [Relative to the appointment of superintendents of roads.] Approved March 10, A. D. 1906	57
H. F. 379	An act to amend the law as it appears in sections fifteen hundred and thirty-three (1533) and fifteen hundred and forty-a (1540-a) of the supplement to the code, relating to the collection of road taxes. Approved April 9, A. D. 1906	58
S. F. 191	An act to amend section fifteen hundred and thirty-eight (1538) of the code, relating to the compensation of the trustees and township clerk. Approved April 5, A. D. 1906	59
S. F. 203	An act relating to the collection of poll tax and amending section fifteen hundred fifty (1550) of the code. Approved March 30, A. D. 1906	60
H. F. 299	An act to amend section fifteen hundred and sixty-six "a" (1566-a) of the supplement to the code, relating to publication of itemized accounts of township officers. Approved April 5, A. D. 1906	61
H. F. 15	An act to provide for improving the public highways by the use of the road drag. [Additional to chapter two (2) of title eight (VIII) of the code, relative to working roads.] Approved February 14, A. D. 1906	62
S. F. 6	An act to encourage the use of wagons with wide tires on public highways and providing for a rebate of a portion of their road tax to persons using wagons with tires not less than three inches in width when hauling heavy loads on the public highways of this state. [Additional to chapter two (2) of title eight (VIII) of the code, relative to working roads. [Approved March 10, A. D. 1906	63
H. F. 103	An act to amend section sixteen hundred twelve (1612) of the code and providing for service of notice or process on certain corporations by adding to said section the following. Approved April 10, A. D. 1906	64

Engrossed bills	GENERAL LAWS—Continued.	Chapter.
S. F. 215	—An act to provide for the renewal and extension of the corporate period of state and savings banks. Additional to the law as it appears in section sixteen hundred and eighteen (1618) of the supplement to the code, relative to renewal of corporations. Approved April 10, A. D. 1906	65
S. F. 110	—An act to amend the law as it appears in section sixteen hundred and fifty-seven-d (1657-d) of the supplement to the code, relating to the agricultural convention. Approved April 10, A. D. 1906	66
H. F. 323	—An act to amend section sixteen hundred fifty-seven n (1657-n), chapter (3) of title nine (IX) of the supplement to the code, relating to salary of secretary of state agricultural department. Approved April 6, A. D. 1906	67
H. F. 199	—An act to amend section sixteen hundred eighty-nine (1689) of the code relating to mutual insurance companies. Approved March 23, A. D. 1906	68
H. F. 269	—An act to amend section one thousand seven hundred nine (1709) of the supplement to the code relative to the insurance of live stock. Approved February 28, A. D. 1906	69
S. F. 353.	—An act to amend section seventeen hundred nine (1709) and seventeen hundred ten (1710) of the supplement to the code as amended by the acts of the Thirty-first General Assembly, relative to insurance other than life. Approved April 9, A. D. 1906	70
H. F. 5	—An act to amend the law as it appears in section seventeen hundred nine (1709) of the supplement to the code and to repeal the law as it appears in section seventeen hundred ten (1710) of the supplement to the code and to enact a substitute therefor, and relating to insurance other than life. Approved March 30, A. D. 1906.	71
H. F. 257	—Anact to amend the law as it appears in section seventeenh undred nine (1709) of the supplement to the code relating to insurance. Approved March 30, A. D. 1906	72
H. F. 270	—An act to repeal section seventeen hundred and thirty-seven (1737) of the code, relating to the publication of certificates of compliance of companies transacting the business of insurance other than life and enacting a substitute therefor. Approved April 10, 1906	73
S. F. 315	—An act to provide that life insurance companies may transact health, accident and employers' liability insurance. [Additional to chapter six (6) of title nine (IX) of the code, relating to life insurance companies.] Approved April 10 A. D. 1906.	74
H. F. 198	—An act to repeal the law as it appears in section seventeen hundred and eighty-four (1784) of the supplement to the code, relating to assessment life insurance associations, and enact [a] substitute thereof [therefor.] Approved March 23, A. D. 1906	75
H. F. 197	—An act to repeal the law as it appears in sections seventeen hundred eighty-four-a (1784-a) to seventeen hundred eighty-four-o (1784-o) inclusive, supplement to the code, relating to stipulated premium and assessment life insurance associations. Approved March 15, A. D. 1906	76
H. F. 57	—An act to amend the law which appears as section eighteen hundred and six (1806) supplement to the code, relating to the investment of funds of insurance companies and associations. Approved March 10, A. D. 1906	77
H. F. 58	—An act to amend section eighteen hundred and fifty (1850) of the code in relation to the investment of funds of savings banks. Approved March 15, A. D. 1906	78
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S. F. 117	—An act amending section eighteen hundred and seventy-one (1871) of the code, relating to the examination of state and savings banks. Approved March 23, A. D. 1906	80
H. F. 51	—An act to amend the law which appears as chapter sixty-four (64) acts of the Thirtieth General Assembly, relating to bank examiners and fees Approved April 10, A. D. 1906	81

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S. F. 89—An act to repeal sections nineteen hundred and seventy-six (1976), nineteen hundred and seventy-nine (1979), nineteen hundred and eighty-two (1982), and nineteen hundred and eighty-four (1984) of the code and to enact substitutes therefor and to amend sections nineteen hundred and seventy-seven (1977) and nineteen hundred and eighty-six (1986) of the code, relating to levees built by the United States. Approved February 19, A. D. 1906. 83

S. F. 252—An act amendatory of the law as it appears in chapter sixty-eight (68) of the Thirtieth General Assembly, relating to levees, ditches, drains and water courses, and amending sections two (2), five (5), twenty-eight (28), forty-two (42), forty-four (44) and forty-eight (48) of said act. Approved April 9, A. D. 1906..... 84

H. F. 272—An act to amend chapter sixty-eight (68) of the laws of the Thirtieth General Assembly relative to the establishment of levees, ditches, drains and water courses. Approved March 10, A. D. 1906.... 85

H. F. 128—An act providing for the payment of preliminary expenses in connection with drainage districts, and making suitable provision for same. [Additional to chapter two (2) of title ten (X) of the code, and chapter sixty-eight (68) of the acts of the Thirtieth General Assembly, relating to levees, drains, ditches and water courses.] Approved February 22, A. D. 1906..... 86

S. F. 347—An act to amend the law as it appears in section two thousand and twenty-six (2026) of the supplement to the code, relating to street railways over highways. Approved April 9, A. D. 1906.. 87

H. F. 171—An act to amend section two thousand and fifty-two (2052) of the code relating to the collection of fees in the office of the secretary of state. Approved March 30, A. D. 1906..... 88

H. F. 26—An act to repeal chapter seventy-four (74) of the laws of the Thirtieth General Assembly relating to common carriers and additional to section two thousand and seventy-four (2074) of the code and to provide a substitute therefor. Approved March 30, A. D. 1906..... 89

S. F. 12—An act making it unlawful for any steam railway or interurban railway doing business within the state, or any officer, agent or representative thereof, to issue, give or offer to any city, county, district, state or federal officer, including judges and members of the general assembly, or to any delegate to a political convention to use in attending such convention or return therefrom, or to any member of any political committee or employe thereof, or to any candidate for a city, county, district, state or federal office, or to jurors in state or federal courts, any free pass, ticket or other privilege at rates less than charged the public. And prohibiting any city, county, district, state or federal officer, and any delegate to a county, district or state political convention, and any candidate for a county, district, state or federal office, and any member of any political committee or any employe thereof, and any juror in state or federal courts, to request or use any such free pass, ticket or privilege, sold or conferred at a less rate than the rate charged the public, over any steam railroad or interurban railroad, and providing a penalty therefor. [Additional to chapter seven (7) of title ten (X) of the code relating to regulation of carriers by railway.] Approved April 5, A. D. 1906..... 90

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S. F. 247—An act to provide for the care and removal to their place of legal settlement of non-resident insane and for the payment of the expenses thereof and repealing the law as it appears in section twenty-seven hundred and twenty-seven-a28 (2727-a28) of the supplement to the code and all acts and parts of acts in conflict with this act, [and amending section twenty-two hundred and eighty-three (2283) of the code. Approved April 9, A. D. 1906. 92

S. F. 246—An act to repeal section two thousand two hundred and eighty-seven (2287) of the code and chapter seventy-nine (79) of the acts of the Thirtieth General Assembly amending said section and to enact a substitute therefor in regard to the capture and return of patients escaped from hospitals for the insane and the payment of the expenses thereof. Approved April 9, A. D. 1906.... 93

S. F. 320—An act to repeal section twenty-two hundred and ninety-two (2292) of the code and to enact a substitute therefor relating to the expense of the insane and of inebriates and the time and manner of certifying the same to the county auditor and the auditor of state and the payment of same. Approved April 10, A. D. 1906..... 94

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S. F. 32—An act to provide for the payment of certain expenses of indigent patients paroled or discharged from the state hospital for inebriates at Knoxville, and the hospital for female inebriates. [Additional to the law as it appears in chapter 2-A (2-A) of title twelve (XII) of the supplement to the code and chapter eighty (80) of the acts of the Thirtieth General Assembly, relating to the detention and treatment of dipsomaniacs, inebriates or those addicted to the excessive use of narcotics.] Approved April 9, A. D. 1906..... 97

S. F. 109—An act to repeal sections two thousand three hundred forty-one (2341) and two thousand three hundred and forty-two (2342) of the code, relative to the registration and publication of pedigrees, and to enact a substitute therefor. Approved April 10, A. D. 1906..... 98

H. F. 229—An act to amend section twenty-four hundred and thirty-nine (2439) of the code, relative to the collection of the mulct tax. Approved April 5, A. D. 1906..... 99

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S. F. 276	An act to amend section twenty-four hundred and fifty (2450) of the code relating to the sale of intoxicating liquors under the mulct law. Approved April 5, A. D. 1906	101
S. F. 307	An act to amend section two thousand four hundred sixty-nine (2469), and to amend the law as it appears in section two thousand four hundred seventy (2470) of the supplement to the code, relating to the bureau of labor statistics. Approved April 10, A. D. 1906	102
H. F. 74	An act to regulate the employment of child labor and to provide for the enforcement thereof. [Additional to chapter eight (8) title twelve (XII) of the code.] Approved April 10, A. D. 1906.	103
H. F. 274	An act to repeal sections twenty-five hundred (2500), twenty-five hundred and one (2501), and twenty-five hundred and two (2502) of the code relating to geological surveys and the duties of the state geologist, and to enact a substitute therefor. Approved April 10, A. D. 1906	104
S. F. 308	An act to amend sections one (1) and nine (9) of chapter eighty-seven (87) of the acts of the Thirtieth General Assembly, in relation to the inspectors of petroleum and its products. Approved April 10, A. D. 1906	105
S. F. 141	An act to regulate the sale of gasoline and providing penalty for violation thereof. [Additional to chapter eleven (11) of title twelve (XII) of the code, relating to petroleum products.] Approved March 30, A. D. 1906	106
S. F. 157	An act defining the powers of the state food and dairy commissioner, his duputy and assistants. [Additional to chapter thirteen (13) of title twelve (XII) of the code, relating to the dairy commissioners and imitation dairy products.] Approved March 17, A. D. 1906	107
S. F. 126	An act for the protection of birds, their nests and eggs, the whole being additional to chapter fifteen (15), title twelve (XII) of the code. Approved April 5, A. D. 1906	108
H. F. 86	An act to require and regulate the registration of births and deaths in the state of Iowa, and to repeal section two thousand five hundred sixty-six (2566) and two thousand five hundred sixty-seven (2567) of the code, and to repeal chapter one hundred (100) laws of the Thirtieth (30) General Assembly. Approved April 10, A. D. 1906	109
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S. F. 91	An act to repeal the law as it appears in section two thousand five hundred and seventy-a (2570-a) of the supplement to the code and chapter ninety-eight (98) laws of the Thirtieth General Assembly, relating to quarantine, the care of infected persons and the payment of expenses incurred thereby and to enact a substitute therefor. Approved March 21, A. D. 1906	111
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H. F. 126	An act to amend chapter one hundred and one (101) laws of the Thirtieth General Assembly, relating to the establishing and maintaining a state board of health laboratory at Iowa City. Approved April 9, A. D. 1906	113

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S. F. 64	An act to repeal the law as it appears in section twenty-five hundred and eighty-nine (2589) of the supplement to the code, and section twenty-five hundred and ninety (2590) of the code, and to enact a substitute therefor relative to the examination of pharmacists and their assistants. Approved March 30, A. D. 1906	115
H. F. 16	An act amendatory to and additional to the law as it appears in title twelve (XII) of chapter nineteen-A (19-A) repealing section twenty-six hundred-i (2500-i) and enacting a substitute therefor and amending section twenty-six hundred-h (2600-h) of the supplement to the code, relative to the practice of denistry, recognizing certificates of dental examiners of other states and territories, and providing for certificates of removal of dentists from the state. Approved March 30, A. D. 1906	116
H. F. 225	An act to amend section twenty-six hundred and four (2604) of the supplement to the code in relation to salary of commandant of the Iowa soldiers home. Approved April 10, A. D. 1906	117
H. F. 267	An act to amend the law as it appears in section twenty-six hundred and four (2604) of the supplement to the code, relating to officers of the Iowa soldiers' home. Approved April 10, A. D. 1906	118
S. F. 249	An act to amend section twenty-six hundred and six (2606) of the code relating to the rules for admission to the soldier's home. Approved April 5, A. D. 1906	119
H. F. 75	An act providing for the prevention of tuberculosis and for the establishment, location, erection and operation of a state sanitarium for the treatment of persons having incipient pulmonary tuberculosis and making appropriations therefor, and repealing acts in conflict herewith. [Additional to title twelve (XII) of the code, and to the law as it appears in chapter eleven-B (11-B) of title thirteen (XIII) of the supplement to the code.] Approved April 9, A. D. 1906	120
S. F. 309	An act to amend section two thousand six hundred twenty-five (2625) of the code relative to superintendent of public instruction and his reports. Approved March 30, A. D. 1906	121
S. F. 30	An act to repeal sections twenty-six hundred thirty-two (2632), twenty-seven hundred thirty-four (2734), twenty-seven hundred thirty-five (2735), twenty-seven hundred thirty-six (2736), twenty-seven hundred thirty-seven (2737) of the code, and sections twenty-seven hundred thirty-four (2734), twenty-seven hundred thirty-six (2736), twenty-seven hundred thirty-seven (2737), of the supplement to the code, and to define the qualifications of county superintendents; to provide for the examination and certification of teachers for the public schools; the classification of teacher's certificates, and the registration of the same. Approved April 5, A. D. 1906	122
S. F. 301	An act to amend section two thousand six hundred forty-one (2641) of the code, relative to the reports of the state university. Approved March 30, A. D. 1906	123
H. F. 360	An act to provide for the establishment of a course of practical and scientific instruction and investigation in the art of clay working and ceramics including the manufacture and use of cements and allied industries in the Iowa state college of agriculture and mechanic arts. [Additional to chapter four (4) of title thirteen (XIII) of the code, relating to the state college of agriculture and mechanic arts.] Approved April 10, A. D. 1906	124
S. F. 303	An act to amend section two thousand six hundred eighty (2680) of the code, relative to the normal school and to the biennial reports to the governor. Approved March 30, A. D. 1906	125
S. F. 81	An act to amend the law as it appears in section two thousand six hundred and eighty-five (2685) of the supplement to the code relating to admission to the Iowa soldiers' orphans' home. Approved February 19, A. D. 1906	126

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S. F. 183	An act to repeal section twenty-seven hundred and four (2704) of the supplement to the code and and to enact a substitute therefor relating to the placing under contract of boys and girls committed to the industrial school. Approved April 5, A. D. 1906	128
S. F. 100	An act to amend the law as it appears in section two thousand seven hundred and eight (2708) of the supplement to the code so as to raise the age of commitment of females to the industrial school to eighteen years. Approved April 5, A. D. 1906	129
S. F. 170	An act to repeal section twenty-seven hundred thirteen (2713) of the supplement to the code and to increase the fund for the support of the industrial school and to fix the minimum monthly allowance for each department thereof. Approved April 9, A. D. 1906	130
S. F. 304	An act to amend section two thousand seven hundred seventeen (2717) of the code, relative to the college for the blind, and reports to the governor. Approved March 30, A. D. 1906	131
S. F. 319	An act to repeal section twenty-seven hundred twenty-six (2726) of the code and to enact a substitute therefor relating to the expense of inmates of the school for the deaf, and the time and manner of certifying the same to the county auditor and the auditor of state, and the payment of same. Approved April 10, A. D. 1906	132
S. F. 142	An act to amend the law as it appears in section twenty-seven hundred and twenty-seven-c (2727-c) of the supplement to the code relating to salaries. Approved March 30, A. D. 1906	133
S. F. 333	An act appropriating money for the inspection of county and private institutions in which insane persons are kept, and associations, societies and homes receiving friendless children. [Additional to the law as it appears in chapter eleven-B (11-B) of title thirteen (XIII) and chapter eight-A (8-A) of title sixteen (XVI) of the supplement of the code.] Approved April 10, A. D. 1906	134
S. F. 345	An act to amend section two thousand seven hundred twenty-seven (2727) of the code relative to terms of office of trustees of county high schools. Approved April 10, A. D. 1906	135
S. F. 27	An act to amend the law as if appears in sections twenty-seven hundred thirty-nine (2739); twenty-seven hundred sixty-two (2762); twenty-seven hundred sixty-four (2764); twenty-seven hundred sixty-five (2765); twenty-seven hundred sixty-nine (2769); twenty-seven hundred seventy-three (2773); twenty-seven hundred eighty-five (2785); twenty-eight hundred (2800); twenty-eight hundred and one (2801); and twenty-eight two (2802) of the code and the law as it appears in sections twenty-seven hundred-fifty (2754) and twenty-eight hundred six (2806) of the supplement of the code; and to appeal sections twenty-seven hundred fifty-seven (2757) and twenty-seven hundred ninety-three (2793) of the code and enact substitutes therefor, relative to the school year, organization and meetings of school boards, reports of school officers and the changing of boundaries of school corporations. Approved March 10, A. D. 1906	136
S. F. 316	An act to amend section twenty-seven hundred fifty-eight (2758) of the code relative to the qualifications of school directors. Approved March 17, A. D. 1906	137
H. F. 391	An act to repeal section twenty-seven hundred and sixty-three (2763) of the code, relating to notice of special meetings, and to enact a substitute therefor. Approved April 9, A. D. 1906	138
S. F. 96	An act to amend section twenty-seven hundred and sixty-eight (2768) of the code in relation to school building funds. Approved March 23, A. D. 1906	139

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S. F. 214	An act to provide for the organization of consolidated independent districts additional to title thirteen (XIII) chapter fourteen (14) of the code. Approved April 5, A. D. 1906	141
H. F. 129	An act providing for the care and permanent preservation of the public archives, and making an appropriation therefor. [Additional to chapter seventeen (17) of title thirteen (XIII) of the code and chapter seventeen-A (17-A) of the supplement to the code, relating to state library and historical collections.] Approved April 10, A. D. 1906	142
S. F. 237	An act to amend the law relative to appropriation for law library as it appears in section two thousand eight hundred eighty-one-e (2881-e), of the supplement to the code. Approved March 21, A. D. 1906	143
S. F. 140	An act relating to gifts, devises or bequests of state institutions. [Additional to chapter three (3) of title fourteen (XIV) of the code, relating to perpetuites and gifts.] Approved February 26, A. D. 1906	144
H. F. 115	An act to amend section number twenty-nine hundred and forty-one (2941) of the code relative to recording instruments affecting lots in cities and towns or villages, in seperate books. Approved February 22, A. D. 1906	145
S. F. 244	An act to regalize acknowledgments of instruments in writing heretofore taken by notaries public. [Additional to section twenty-nine hundred and forty-two (2942) of the code.] Approved March 21, A. D. 1906	146
H. F. 368	An act to repeal the law as it appears in section three thousandand sixteen (3016) of the supplement to the code relating to bushel by weight, and to enact a substitute therefor. Approved April 10, A. D. 1906	147
H. F. 175	An act to amend section three thousand and forty-seven (3047) of the code relating the assignment of wages. Approved April 5, A. D. 1906	148
H. F. 117	An act to amend the law as it appears in section thirty hundred and sixty-a-one hundred and thirty-two (3060-a-132) of the supplement to the code, relating to negotiable instruments. Approved February 14, A. D. 1906	149
S. F. 285	An act in relation to a lost, stolen or destoyed note, bond, bill of exchange, draft, certificate of deposit or other evidence of indebtedness and prescribing how action may be brought thereon. (Additional to chapter three (3) of title fifteen (XV) of the code and to the law as it appears in chapter three-A (3-A) of title fifteen (XV) of the supplement to the code, relating to notes and bills.) Approved April 10. A. D. 1906	150
H. F. 12	An act relating to the time of bringing actions against estates of decedents and additional to section thirty-four hundred and forty-seven (3447) of the code. Approved March 10, A. D. 1906.	151
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H. F. 301	An act to amend section three thousand four hundred and ninety-four (3494) as the same appears in the supplement to the code, relating to the place of bringing actions. Approved March 30, A. D., 1906	153
S. F. 71	An act to amend section three thousand five hundred forty (3540) of the code, in relation to the publication of original notices in commencement of actions against unknown defendants, and length of publication. Approved February 26, A. D., 1906	154
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S. F. 154—An act to amend section four thousand twenty-five (4025) of the code in relation to notice to defendant in sales under execution. Approved March 15, A. D., 1906..... 157

H. F. 306—An act to amend section four thousand one hundred and fourteen (4114) of the code relating to notice of appeal. Approved April 10, A. D. 1906..... 158

H. F. 83—An act to repeal section forty-six hundred and thirty-three (4633) of the code and to enact a substitute therefor, providing for recording in the county recorders' offices, United States and state patents, and certified copies of such patents and making such reports and certified copies thereof competent evidence. Approved February 6, A, D., 1906..... 159

H. F. 138—An act to amend section forty-eight hundred and twenty-one (4821) of the code, relating to hunting on enclosed land. Approved February 26, A. D. 1906..... 160

H. F. 325—An act to amend section number forty-eight hundred and twenty-two (4822) of the code, relating to malicious injury to buildings and fixtures. Approved April 9, A. D. 1906..... 161

H. F. 66—An act providing punishment for the injury or destruction of sidewalks. [Additional to chapter four (4) of title twenty-four (24) of the code] Approved February 22, A. D. 1906..... 162

S. F. 274—An act to amend chapter five (5) of title (XXIV) of the code, relating to larceny. Approved April 10, A. D., 1906..... 163

S. F. 15—An act to amend section four thousand nine hundred and thirty-six (4935) of the code relating to incest. Approved February 14, A. D., 1906..... 164

H. F. 100—An act punishing any person who shall ask, request, or solicit an other to have carnal knowledge with any female, for a consideration or otherwise. [Additional to chapter nine (9) of title twenty-four (XXIV) of the code, relating to offenses against chastity, morality and decency.] Approved April 5, A. D., 1906..... 165

S. F. 8—An act to prevent the adulteration, misbranding and imitation of foods, to change the name of the office of "state dairy commissioner" to that of "state food and dairy commissioner", and to define his duties; and repealing sections four thousand nine hundred eighty-two (4982), four thousand nine hundred and eighty-four (4984), four thousand nine hundred and eighty-seven (4987), four thousand nine hundred and ninety-three (4993), four thousand nine hundred and ninety-four (4994), four thousand nine hundred and ninety-five (4995), four thousand nine hundred and ninety-six (4996), four thousand nine hundred and ninety-seven (4997), four thousand nine hundred and ninety-eight (4998) of the code, and sections four thousand nine hundred and eighty-four "a" (4934-a) and four thousand nine hundred and eighty-four "b" (4984-b), as they appear in the supplement to the code; and amending section four thousand nine hundred and eighty-six (4986) of the code, and making an appropriation for the purpose of carrying out the provisions of this act. Approved February 26, A. D. 1906..... 166

S. F. 156—An act to amend sections forty-nine hundred and eighty-nine (4989) and forty-nine hundred and ninety (4990) of the code, relating to the sale of adulterated milk and cream. Approved March 15, A. D. 1906..... 167

S. F. 334—An act to require operators of creameries to pasteurize skimmed milk before delivering the same to any person and providing a penalty for violation thereof. [Additional to chapter ten (10) of title twenty-four (XXIV) of the code, relating to offenses against the public health.] Approved April 5, A. D. 1906..... 168

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H. F. 412	An act to protect the public health and the health of domestic animals by providing for the inspection of registered cattle brought into the state for breeding or dairy purposes. [Additional to chapter eleven (11) of title twenty-four (XXIV) of the code, relating to offenses against public policy.] Approved April 9, A. D. 1906.....	170
S. F. 163	An act prohibiting manipulation of the Babcock test or any other contrivance used for determining the quality of milk or cream and providing punishment therefor. [Additional to chapter (13) of title twenty-four (XXIV) relating by false pretenses, gross frauds conspiracy.] Approved March 16, A. D. 1906.	171
S. F. 35	An act to amend section five thousand seven hundred and sixteen (5716), of the code and to provide for the compensation of the chaplains of the penitentiaries. Approved April 5, A. D. 1906.	172

APPROPRIATION ACTS

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H. F. 178	An act making an appropriation to defray the mileage and expenses of the members of the various committees sent by the Thirty-first General Assembly to visit the several state institutions. Approved March 10 A. D. 1906.....	174
S. F. 104	An act making an appropriation to defray the mileage and expenses of the members of the two joint committees appointed by the Thirtieth General Assembly under joint resolutions originating in the senate, numbered six and seven. Approved February 26, A. D. 1906.....	175
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S. F. 358	An act to make appropriations for the payment of state and judicial officers, state and other expenses. Approved April 6, A. D. 1906.	177
H. F. 167	An act relating to fish and game, and making appropriation for the fish and game commission of the state of Iowa. Approved April 10, A. D. 1906.....	178
H. F. 403	An act making appropriations for the construction, repair, improvement and contingent funds for the state hospitals, penitentiaries, industrial schools, institution for the feeble minded, college for the blind, school for the deaf, Iowa soldiers' home, and Iowa soldiers' orphans' home. Approved, April 9, A. D. 1906	179
S. F. 52	An act making appropriations for the benefit of the industrial school for boys at Eldora. Approved February 17, A. D. 1906..	180
S. F. 181	An act for the appointment of state agents for the industrial school and the soldiers' orphan's home, defining their duties and making an appropriation for their salaries and expenses and to repeal chapter 157 of the acts of the Thirtieth General Assembly and other acts in conflict with this act. Approved April 5, A. D. 1906.....	181
H. F. 400	An act making appropriations for the Iowa state college of agriculture and mechanic arts, the state university and the state normal school. Approved April 9, A. D. 1906.....	182
H. F. 207	An act providing for a levy of a special tax of one-fifth (1-5) of a mill on the dollar upon the assessed valuation of the taxable property of the state for the erection, repair and improvement of buildings for the state university of Iowa. Approved April 10, A. D. 1906.....	183

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H. F. 134	An act to provide for agricultural extension and experiment work by the Iowa state college of agriculture and mechanic arts, and making an appropriation for the same. Approved April 10, A. D. 1906	185
H. F. 176	An act to provide for the erection, repair, improvement and equipment of buildings for the state normal school. Approved April 10, A. D. 1906	186
S. F. 161	An act providing for the inside finishing and completion of the historical, memorial and art building. Also for the purchase of steel book stacks, and making an appropriation therefor. Approved April 9, A. D. 1906	187
S. F. 13	An act to create a legislative commission to examine the subject of all insurance and the practice of the insurance companies doing business in this state and make recommendations concerning the insurance laws and provide a uniform policy for life and fire insurance and report their findings and recommendations to the next general assembly, and for other purposes. Approved April 5, A. D. 1906	188
S. F. 348	An act making appropriations for the benefit of the Benedict home at Des Moines, the Florence Crittenden home, the boys' and girls' home, and the house of the Good Shepherd at Sioux City and the Dubuque rescue home, and the house of the Good Shepherd at Dubuque, and providing for the method of disbursement and against future appropriations of this kind. Approved April 10, A. D. 1906	189
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S. F. 103	An act making an appropriation of the sum of four thousand nine hundred seventy-eight dollars and twenty-seven cents ($4,978 27) to Albert B. Cummins, W. B. Martin, B. F. Carrol, and G. S. Gilbertson to reimburse them for funds advanced for the purpose of completing the tabulation of the state census of 1905. Approved February 27, A. D. 1906	192
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H. F. 283	An act to reimburse Frank Bristow for injuries sustained while in the employ of the state. Approved April 10, A. D. 1906.....	198
S. F. 205	An act to appropriate the sum of seventy-five dollars ($75) to pay Henry Eyler for money advanced by him to the state of Iowa as rent for certain lake beds situated in Wright county, Iowa. Approved April 9, A. D. 1906.....	199
H. F. 206	An act to indemnify L. H. Fenton for personal injury sustained by him while employed at the state hospital for the insane, at Mt. Pleasant, Iowa. Approved April 5, A. D. 1906.....	200
S. F. 277	An act to appropriate the sum of one hundred dollars ($100.00) to pay E. S. Frank for money advanced by him to the state of Iowa as rent for certain lake beds situated in Wright and Hancock counties, Iowa. Approved April 9, 1906.....	201
H. F. 341	An act to appropriate the sum of four hundred and forty-one dollars and seventy cents ($441.70) for the relief of George F. Hunt, late ordnance sergeant in the adjutant general's department of the state of Iowa on account of balance of salary due under joint resolution number nine, acts of the Twenty-Sixth General Assembly, and directing the manner of the payment of such appropriation. Approved April 10, A. D. 1906.....	202
S. F. 169	An act appropriating the sum of one thousand dollars ($1000 00) to be paid to Lena Ness, guardian of Andrew T. Ness for the use and benefit of Andrew T. Ness in settlement of all claims against the state of Iowa by reason of the injury to Andrew T. Ness and damages resulting there from in the loss of a leg and for the pain and suffering resulting from said injury, said injury occurring while the said Andrew T. Ness was detained in the state hospital for the insane at Independence, Iowa. Approved April 5, A. D. 1906.....	203
S. F. 111	An act appropriating the sum of seven hundred and fifty dollars ($750) to be paid to Mrs. John Stein, in settlement of all claims against the state of Iowa by reason of the death of John Stein who was killed by a falling scaffold at the Fort Madison penitentiary while working under the orders of the superintendent of construction. Approved April 5, A. D. 1906.....	204
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S. F. 193	An act making appropriation for the erection of a monument in Sheron cemetery, Lee county, Iowa, over the grave of George Perkins, a soldier of the revolutionary war. Approved March 30, A. D. 1906.....	209

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H. F. 357—An act to apportion the state into representative districts and declare the ratio of representation. Approved April 10, A. D. 1906..... 211

H. F. 177—An act to repeal chapter one hundred and eighty-five (185) of the acts of the Thirtieth General Assembly and enact a substitute therefor, relating to the survey, appraisement and sale of abandoned river channels of the Mississippi and Missouri rivers and all navigable streams within the state, and all lands within such abandoned river channels, and all islands or bars situated in such navigable waters and authorizing the appointment of a commission to ascertain and establish the boundary lines between the state of Iowa and the adjoining states Approved April 6, A. D. 1906..... 212

H. F. 421—An act to grant legislative assent to the more complete endowment and maintenance of the agricultural experiment station of the Iowa state college of agriculture and the mechanic arts. Approved April 9 A. D. 1906..... 213

S.F. 192—An act authorizing the governing board of the Iowa state college of agriculture and mechanic arts to contract with the city of Ames concerning the collection and disposal of sewage and the construction of sewers across the college grounds. Approved April 9, A. D. 1906..... 214

H. F. 297—An act authorizing the executive council of the state of Iowa to grant a right of way for an interurban or other railway over and across the lands and campus of the Iowa state college of agriculture and mechanic arts in Story county in the state of Iowa, and to fix terms and conditions therefor. Approved April 9, A. D. 1906..... 215

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H. F. 336—An act to authorize the executive council to convey to Jones county, Iowa, a roadway through the east half of the southwest quarter of section thirty-three (33), township eighty-five (85), north of range four (4), west of the 5th principal meridian. Approved April 5, A. D., 1906..... 218

H. F. 87—An act authorizing and empowering the governor, or his successors in office, to execute, acknowledge and deliver instruments of conveyance to the present owners, or their grantees, of the northeast quarter of section seventeen (17), township ninety-two (92) north, range forty-five (45) west of the 5th principal meridian, Plymouth county, Iowa, for the purpose of correcting the titles thereto. Approved February 14, A. D., 1906..... 219

S. F. 213—An act to authorize the revocation and cancellation of a patent issued for the west half of the northwest quarter of section (1) township seventy-four (74) north, of range seventeen (17) west of the fifth principal meridian, Mahaska county, Iowa, and to authorize the issuance of patent covering the north half of the northwest quarter of section eleven (11) township seventy-four (74) north of range seventeen (17) west of the fifth principal meridian, Mahaska county, Iowa. Approved March 30, A. D., 1906..... 220

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S. F. 282	An act for the relief of the grantees of John S Bussey, and for the purpose of having a patent issued in the name of Samuel Kingery, for a certain tract of land. Approved April 9, A. D. 1906.....	222

LEGALIZING ACTS.

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S. F. 281	An act to legalize the acts and resolutions passed by the board of supervisors of Calhoun county Iowa, allowing certain persons appointed to collect delinquent personal tax, a commission in addition to the five per cent provided by statute. Approved March 30, A. D. 1906.....	224
S. F. 82	An act to legalize the action of the board of supervisors of Des Moines county, Iowa, relating to the sale of school lands in section sixteen (16), township seventy-one (71) north of range one (1) west of the fifth P. M. and to authorize the governor to issue a patent therefor to the heirs of John Olson. Approved February 14, A. D. 1906.....	225
S. F. 190	An act to legalize the action of the board of supervisors and other officers of Jasper county, Iowa, as far as they relate to the establishment of a certain public highway in Kellogg township, Jasper county, Iowa. Approved March 16, A. D. 1906.....	226
H. F. 258	An act to legalize the appointment of trustees for Cedar township, Linn county, Iowa, by the auditor of said county for the year 1906. Approved March 23, A. D. 1906.....	227
H. F. 428	An act to legalize the submission to the electors of the city of Albia of the question of establishing a free public library in said city. Approved April 9, A. D. 1906.....	228
H. F. 285	An act to legalize the special election held in Armstrong, Monday, May 18, A. D. 1003, granting a franchise to the Armstrong Light & Heating company, and all the ordinances, resolutions and acts of said council with reference thereto recited in this act. Approved March 23, A. D. 1906.....	229
H. F. 2	An act legalizing the special election of the city of Clinton, Iowa, held March 28th, 1901, whereby certain rights were granted to the Clinton Gas Light & Coke company. Approved February 6, A. D. 1906.....	230
S. F. 350	An act to legalize the submission to the voters of the city of Creston, Iowa of the question whether an ordinance entitled an "ordinance authorizing the Des Moines, Winterset & Creston electric railway company to construct, maintain and operate, by electric or other power than steam, street and interurban railways in, across, over and along the streets of the city of Creston, Iowa, and defining the powers and duties of said company" should be approved and adopted and legalize the acts of the city council in submitting to the voters of said city at a city election held on the twenty-sixth (26) day of March, nineteen hundred and six (1906), the question of granting a franchise to said company. Approved April 9, A. D. 1906.....	231

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H. F. 28	An act to legalize the incorporation of the town of Elkhart, Polk county, Iowa, the election of its officers, the passage and record of its ordinances and resolutions, and all acts done by the council of said town. Approved February 6, A. D. 1906.....	233
S. F. 24	An act to egalize the incorporation of the town of Harvey, Marion county, Iowa, the publication of notices thereof and ordinances passed. Approved January 30, A, D, 1906.....	234
S. F. 184	An act to legalize the acts of the town council of the town of Ida Grove, Iowa, relating to the erection of a public building and fire station in the incorporated town of Ida Grove, Iowa, and the subsequent acts of the officers of said town in relation thereto. Approved March 10 A, D, 1906	235
H. F. 194	An act to legalize the incorporation of he town of Ionia, Chickasaw county, Iowa, the election of its officers, the passage of its ordinances, and resolutions and all acts done by the council of said town. Approved February 26, A, D, 1906	236
H. F. 407	An act to legalize the elections of the mayors, members of the city council and other city officials of the city of Iowa Falls, Hardin county, Iowa, and all the acts thereof during the ten(10) years last past. Approved April 9, A, D, 1906.....	237
H. F. 246	An act to legalize the incorporation of the town of Jamaica, Guthrie county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the council of said town. Approved March 23, A, D, 1906.....	238
H. F. 37	An act to legalize the incorporation of the town of Lidderdale, Carroll county, Iowa, the election of its officers; the passage of its ordinances and resolutions, and all acts done by the council of said town. Approved February 6, A, D. 1906.....	239
H. F. 424	An act to legalize the submission to the voters of the town of Macksburg, Iowa, of the question whether an ordinance entitled "An ordinance authorizing the Des Moines, Winterset and Creston electric railway company to construct, maintain and operate, by electric or other power than steam, street and interurban railways in, across, over and along the streets of the town of Macksburg, Iowa, and defining the powers and duties of said company" should be approved and adopted. Approved April 9, A. D., 1906.....	240
H. F. 416	An act to legalize the acts done and the ordinances and resolutions passed by the town council of Manson, Calhoun county, Iowa. Approved April 9, A. D., 1906.....	241
H. F. 429	An act to legalize the submission to the electors of Marshalltown of the question of granting a franchise to Petersen Heat, Light & Water company for the construction and operation of a heating plant in said city. Approved April 9, A. D., 1906.....	242
S. F. 155	An act to legalize the incorporation of the town of Meservey, Cerro Gordo county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town. Approved February 26, A. D., 1906.....	243
H. F. 418	An act legalizing a special election held at Oskaloosa, Mahaska county, Iowa, on the 16th day of August, 1905, for the purpose of voting a tax of five per centum on the assessed valuation of property of said city in aid of the Oskaloosa and Buxton electric railway company, and legalizing the recording of the certificate issued by the city clerk of said city, in the office of the recorder of deeds of said county, and legalizing the levy by the board of supervisors of said county, of the tax thereby voted, and legalizing the acts of the county auditor in placing said tax upon the tax lists, and in certifying the order for the same and said tax lists to the county treasurer of said county, and legalizing the tax lists so transmitted to said treasurer. Approved April 9, A. D. 1906.....	244

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S. F. 286	An act to legalize the incorporation of the town of Osterdock in Clayton county, Iowa and to legalize the election of its officers and all acts done and ordinances passed by the council of said town. Approved March 30, A. D. 1906	245
H. F. 375	An act to legalize the incorporation of the town of Portsmouth, Shelby county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the council of said town. Approved April 5, A. D. 1906	246
H. F. 376	An act to legalize the incorporation of the town of Schleswig, Crawford county, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town. Approved April 6, A. D. 1906	247
H. F. 430	An act to legalize the submission to the electors of Webster City of the question of granting a franchise for a gas plant. Approved April 9, A D. 1906	248
S. F. 201	An act to legalize the ordinances, acts, proceedings, resolutions and amendments to the ordinances passed by the city council of Winterset, Iowa, and to legalize all the acts and elections of the incorporated city of Winterset, in the county of Madison, state of Iowa, and to legalize all the officials of Winterset, Iowa, acting as such officials. Approved February 27, A. D. 1906	249
H. F. 318	An act to legalize the incorporation of the town of Woodbine, Harrison county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the council of said town. Approved March 23, A. D. 1906	250
H. F. 322	An act to legalize the incorporation of the town of Yale, Guthrie county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the council of said town. Approved March 23, A. D.	251
S. F. 23	An act to legalize the action of the Independent school district of West Des Moines, Polk county, Iowa, in voting bonds at an election held on the thirteenth day of March, 1905, and legalizing the bonds issued by said school district under said election. Approved January 28, A. D. 1906	252
S. F. 48	An act to legalize the acts of the board of directors and electors, and and authorize the issuing of forty thousand dollars ($40,000.00) in school building bonds in the independent school district of Lyons City, Clinton county, Iowa, and to validate said bonds. Approved March 23,A. D. 1906	253
H. F. 89	An act to legalize the organization of the independent school district of Whiting, Monona county, Iowa, and the acts of its board of directors. Approved February 6, A. D., 1906	254
S. F. 26	An act to legalize the act of the "Peoples Bank" and the acts of the same corporation under the name of the "Peoples State Bank" located in West Liberty, Iowa, and to provide for filing its renewal certificate with the secretary of state. Approved January 26, A. D. 1906	255
H. F. 102	An act legalizing the incorporation of the Postville Cemetery Association and the acts and proceedings thereof, particularly with reference to the title to real estate acquired by the said Cemetery Association in the transaction of its business. Approved February 14, A. D., 1906	256
H. F. 432	An act to legalize an administrator's deed to certain real estate situated in Allamakee county, Iowa. Approved April 10, A. D. 1906	257

JOINT RESOLUTIONS.

JOINT RESOLUTION No. 1.

[Originated in the House.]

House joint resolution No. 1, proposing an amendment to the constitution of the state of Iowa, additional to section eighteen (18) of article one (1) of said constitution.

JOINT RESOLUTION NO. I.

[Originated in the Senate.]

Joint resolution relating to the selection of additional employes of the Thirty-firs General Assembly, fixing their compensation aud defining their duties.

JOINT RESOLUTION NO. 3.

[Originated in the Senate.]

Directing the Governor of the state of Iowa to invite the governors of the several states to name representatives to an interstate convention, to be held at Des Moines, Iowa, or elsewhere, for the purpose of securing such action on the part of the several states as will result in a constitutional convention for the proposal of an amendment to the constitution providing for the election of United States senators by a direct vote.

JOINT RESOLUTION NO. 4.

[Originated in the Senate.]

Joint resolution setting aside room No. twenty-seven (27) in the state capitol building for the use of newspaper publishers, reporters and correspondents.

JOINT RESOLUTION NO. 5.

[Originated in the Senate.]

Joint resolution fixing the number and compensation of employes in the departments of state at the seat of government.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, January 8th, 1906.

Pursuant to law the Senate of the Thirty-first General Assembly convened at 10 a. m. and was called to order by Lieutenant Governor Herriott.

Prayer was offered by Rev. H. O. Breedin, of Des Moines, Ia.

Senator Hopkins moved that the officers of the thirtieth General Assembly present be made the temporary officers of this Assembly and that the vacancies be filled by those nominated by the republican caucus.

Carried.

MESSAGE FROM THE HOUSE.

The following message was received from the House.

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

Resolved, By the House the Senate Concurring that a joint Committee of three members from the House to be appointed by the Speaker and three members from the Senate, to be appointed by the President of the Senate, be designated to nominate such additional employes, other than committee clerks, as may be deemed necessary for the session, including a mail carrier, and to be recommended the position and compensation of each.

Committee on Part of House, Kendall of Monroe, Weeks of Guthrie, Flenniken of Clayton.

C. R. BENEDICT,
Chief Clerk.

On request of Senator Wilson leave of absence was granted Senator Lyons until tomorrow

On request of Senator Courtright, leave of absence was granted Senator Young of Washington indefinitely.

Senator Hartshorn moved that a committee of five on Credentials be appointed.

Carried.

The President appointed the following committee on Credentials: Hartshorn, Molsberry, Dunham, Lambert, Wilson, of Clinton.

The following temporary officers appeared before the bar of the Senate and were sworn in:

George A. Newman, Secretary; George A. Wilson, First Assistant Secretary; John L. Gillespie, Second Assistant Secretary; Cecil Dixon, Journal Clerk; John Connolly, Journal Clerk; Miss Lois Rigby, Engrossing Clerk; Miss Inez Black, Enrolling Clerk. R. B. Huff, Sergeant at Arms; I. L. Hammer, Doorkeeper; Thos. E. Brown, File Clerk; Miss Olive Scott, Bill Clerk; Miss Nellie Stevenson, Postmistress; D. W. Shean, Assistant Doorkeeper; J. H. Carter, Assistant Doorkeeper; Wallace McFadden, Assistant Doorkeeper; J. H. Stewart, Assistant Doorkeeper; M. E. Erwin, Assistant Doorkeeper; Thomas Hagen, Assistant Doorkeeper; H. Armstrong, Assistant Doorkeeper; S B. McAlpin, Assistant Doorkeeper; Jeff. Logan, Chief Janitor; P. S. Ervin, Janitor; William Thompson, Janitor; Roscoe C. Morrow, Messenger; Hartley Kelley, Messenger; Karl Eckers, Messenger; Nixon Streit, Messenger; Martin C. Lind, Messenger; Hymen Coplin, Messenger; Will Robinson, Messenger.

President Herriott, upon behalf of the Senate, made fitting remarks congratulating Senator Newberry upon his recent change of family relations.

Senator Newberry responded and thanked the Senate for the congratulations offered.

Senator Bleakly moved that a recess be taken until the Committee on Credentials make a report.

Carried.

Senator Hartshorn from the Committee on Credentials submitted the following report and moved its adoption.

MR PRESIDENT—Your Committee on Credentials finds the following named Senators entitled to seats in the Senate of the Thirty-first General Assembly:

First District—David A. Young.
Second District—James Elerick.
Third District—Lewis L. Taylor.
Fourth District—R. A. Hasselquist.
Fifth District—Marion F. Stookey.
Sixth District—Daniel W. Turner.
Seventh District—Lester W. Lewis.
Eighth District—Shirley Gillilland.
Ninth District—Fred N. Smith.
Tenth District—John A. Young.
Eleventh District—James H. Jamison.
Twelfth District—John T. Brooks.
Thirteenth District—Samuel H. Harper.
Fourteenth District—Wm. G. Jones.
Fifteenth District—J. L. Warren.
Sixteenth District—J. J. Crossley.
Seventeenth District—Frank M. Hopkins.
Eighteenth District—James E. Bruce.
Nineteenth District—Charles G. Saunders.
Twentieth District—F. M. Molsberry.
Twenty-first District—W. C. Hayward.
Twenty-second District—John L. Wilson.
Twenty-third District—Thomas Lambert.
Twenty-fourth District—Robert C. Stirton.
Twenty-fifth District—John Hughes, Jr.
Twenty-sixth District—W. C. Stuckslager.
Twenty-seventh District—Henry Young.
Twenty-eight District—Charles Eckles.
Twenty-ninth District—Fred L. Maytag.
Thirtieth District—Cassius C. Dowell.
Thirty-first District—C. J. A. Ericson.
Thirty-second District—John H. Jackson.
Thirty-third District—George W. Dunham.
Thirty-fourth District—Ernest L. Hogue.
Thirty-fifth District—P. W. Crawford.
Thirty-sixth District—Byron W. Newberry.
Thirty-seventh District—F. C. Hartshorn.
Thirty-eighth District—O. B. Courtright.

Thirty-ninth District—John F. Wade.
Fortieth District—A. C. Wilson.
Forty-first District—James A. Smith.
Forty-second District—D. A. Lyons.
Forty-third District—A. H. Gale.
Forty-fourth District—E. C. Spaulding.
Forty-fifth District—Wm. P. Whipple.
Forty-sixth District—John L. Bleakly.
Forty-seventh District—George Kinne.
Forty-eighth District—Warren Garst.
Forth-ninth District—Wm. C. Kimmel.
Fiftieth District—E. K. Winne.

F. C. HARTSHORN,
F. M. MOLSBERRY,
GEO. W. DUNHAM,
THOS. LAMBERT,
JOHN L. WILSON.

The report of the committee was adopted.

Senator Dowell moved that all Senators be sworn in according to law.

The following Senators appeared at the bar of the Senate and were duly sworn in as Senators according to law:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham. Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton. Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun.

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

Carried.

Senate Hopkins nominated Sen. James A. Smith, of Mitchell for President pro tem of the Senate and moved that he be elected.

Those voting for Senator James A. Smith, of Mitchell, were:

Senators Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gililland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne. Lambert, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moins, Spaulding, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Yonng of Calhoun,—44.

So Senator Smith of Mitchell was declared duly elected president pro tem of the Senate.

Senator Hopkins nominated Geo. A. Newman of Black Hawk County for Secretary of the Senate and moved his election.

Those voting for Geo. A. Newman were:

Senators Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert Lewis, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun—44.

So Geo. A Newman was declared duly elected secretary of the Senate.

Senator Hopkins nominated the following named persons for permanent officers of the Senate, and moved their election:

George A. Wilson, First Assistant Secretary,
John L, Gillespie, Second Assistant Secretary.
Lois M. Rigby, Engrossing Clerk.
Inez C. Black, Enrolling Clerk.
Cecil Dixon, Journal Clerk.
John Connolly, Journal Clerk.
R. B. Huff, Sergant at Arms.
Tom E. Brown, File Clerk.
Alice Scott, Bill Clerk.
Nellie Stevenson, Post Mistress.
I. L. Hammer, Doorkeeper.

D. W. Shean, Assistant Doorkeeper.
J. H. Carter, Assistant Doorkeeper.
Wallace McFadden, Assistant Doorkeeper.
J. H. Stewart, Assistant Doorkeeper.
M. E. Erwin, Assistant Doorkeeper.
Thos Hagen, Assistant Doorkeeper.
H. Armstrong, Assistant Doorkeeper.
L. B. McAlpin, Assistant Doorkeeper.
Jeff Logan, Chief Janitor of CloakRoom.
P. S. Erwin, Assistant Janitor of Cloak Room.
Wm. Thompson, Janitor of Toliet Room.

Those voting for the above named persons, for their respective offices were:

Senators Bleakly, Brooks, Bruce, Courtright Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gilliland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kemmel, Kinne, Lambert, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun—46.

So the above named persons were declared duly elected.

Senator Smith of Mitchell appeared before the bar of the Senate and was duly sworn as President pro tem of the Senate.

The following newly elected officers of the Senate appeared before the bar of the Senate and were duly sworn according to law;

George A. Newman, Secretary; George A. Wilson, First Assistant Secretary; John L. Gillespie, Second Assistant Secretary; Lois M. Rigby, Engrossing Clerk; Inez C. Black, Enrolling Clerk; Cecil Dixon, Journal Clerk; John Connolly, Journal Clerk, R. B. Huff, Sergeant-at-arms; Tom E. Brown, File Clerk; Alice Scott, Bill Clerk; Nellie Stevenson, Post Mistress; I. S. Hammer, Door Keeper; D. W. Shean, Assistant Door Keeper; J. H Carter, Assistant Door Keeper; Wallace McFadden, Assistant Door Keeper; J. H. Stewart, As-

sistant Door Keeper; M. E. Erwin, Assistant Door Keeper; Thomas Hagen, Assistant Door Keeper; H. Armstrong, Assistant Door Keeper; S. B. McAlpin, Assistant Door Keeper; Jeff Logan, Chief Janitor Cloak Room; P. S. Erwin, Assistant Janitor Cloak Room; William Thompson, Janitor Toilet Room.

Senator Maytag offered the following resolution and moved its adoption:

Resolved, that the President appoint two additional messengers.

Adopted.

Senator Hopkins moved that the Secretary be instructed to assign the reporters seats in the reporters' gallery.

Carried.

Senator Molsberry moved that a committee of three be appointed to notify the House that the Senate is duly organized and ready to receive any communication from them.

Carried.

Senator Hayward offered the following resolution and moved its adoption:

Resolved, That the Secretary of the Senate be instructed to procure suitable badges for those of the following officers and employes not already provided with such badges, to wit: Sergeant-at-Arms, Janitors, Chief Doorkeeper, Assistant Doorkeepers and Messengers of the Senate.

Adopted.

Senator Jones offered the following resolution and moved its adoption:

Resolved, That the rules of the Senate of the 30th General Assembly be in force and effect until report of committee on Rules be adopted.

Adopted.

The President appointed the following committee to notify the House that the senate was organized.

Senators { Molsberry. Maytag. Stirton.

Senator Molsberry from the committee appointed to notify the House that the Senate was organized reported having performed that duty.

On request of Senator Lambert, leave of absence was granted Senator Taylor until tomorrow morning.

Senator Young of Calhoun offered the following Resolution and moved its adoption

Resolved, that the Senators retain the seats occupied by each at the last session.

Adopted.

A Committee appeared from the House and announced that the House was duly organized.

HOUSE MESSAGES CONSIDERED.

House concurrent resolution relative to the appointment of a Joint Committee from the House and Senate to select additional employees.

Adopted.

Senator Dowell offered the following resolution and moved its adoption:

Resolved:—That E. B. Elleston be authorized to place a barber chair in the cloak room for the use of Senators and employes of the Senate.

Adopted.

Senator Dowell offered the following concurrent resolution and moved its adoption:

Concurrent resolution:

Resolved:—By the Senate the House concurring; that the joint committee appointed under joint resolution No. 6 of the 30th General Assembly be given until Monday, January 15th, 1906, within which to file its report.

Adopted.

Senator Young of Calhoun, offered the following resolution, and moved its adoption.

Resolved: that a committee of three be appointed on mileage.

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Concurrent Resolution.

Resolved, By the House, the Senate concurring, that the Secretary of State be requested to furnish each member of the 31st General Assembly with the code and supplement to the code and the session laws of the 29th and 30th General Assembly.

C. R. BENEDICT,
Chief Clerk.

Also:

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:

Concurrent Resolution. *Resolved*, By the House the Senate concurring, that a Joint Convention of the two Houses of the thirty-first General Assembly be held Monday afternoon at two o clock, and that when this House adjourn, it adjourn to the said hour.

Resolved, that the Governor of the State be invited to read his message before the two Houses of the General Assembly in

Joint Convention assembled, and that the Speaker of the House and the President of the Senate be appointed a committee to deliver the invitation.

C. R. BENEDICT, *Chief Clerk*.

Senator Hopkins moved that the Senate now take up House messages.

Carried.

HOUSE MESSAGES CONSIDERED.

Concurrent resolution relative to a Joint Committee of the House and Senate and the invitation for the Governor to read his message before the General Assembly.

Adopted.

HOUSE CONCURRENT RESOLUTION.

Resolved By the House the Senate Concurring: That the Secretary of state be requested to furnish each member of the 31st General Assembly with the Code and supplement to the Code and the session laws of the 29th and 30th General Assemblies.

Senator Saunders offered the following amendment and moved its adoption:

Amend by adding thereto:

"And annotations of the 27th, 28th, 29th and 30th General Assemblies."

The amendment was adopted.

The Concurrent resolution as amended was adopted.

Senator Garst moved that when the Senate adjourn it be until 1:50 P. M.

Carried.

Senator Hayward moved that the Democratic Senators be authorized to appoint three committee clerks.

Carried.

Senator Ericson offered the following resolution and moved its adoption:

Resolved:—That a committee of three be appointed to wait upon the Governor and notify him that the Senate is duly organized and ready to receive any communication from him.

Adopted.

The president appointed the following committee to notify the Governor that the Senate was organized:

Senators Ericson, Elerick, Wilson, of Clinton.

President pro tem Smith of Mitchell took the chair at 11:55 A. M.

Senator Ericson from the committee appointed to notify the Governor that the Senate was duly organized, reported that the committee had performed that duty and the Governor would communicate in writing.

Senator Lambert moved that the time of the session be extended ten minutes.

Carried.

Senator Stookey, moved that the Senate do now adjourn.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met at 1.50 P. M., pursuant to adjournment; President Herriott presiding.

A committee from the House announced that the House was ready to receive the Senate in joint session.

Senator Ericson moved that the Senate proceed to the House for purposes of joint session.

Carried.

The President announced that the Senate would proceed to the House under the direction of the Sergeant-at-Arms.

The senate proceeded to the House to meet in joint session.

JOINT CONVENTION.

In accordance with law and concurrent resolution duly adopted, the joint session was called to order, Lieutenant Governor Herriott presiding.

The roll was then called and the following members responded

Bleakly, Bailey, Brooks, Bealer, Bruce, Bixby, Boland, Buckingham, Courtright, Calderwood, Crawford, Carden, Crossley, Carstensen, Cassel, Chassell, Cheney, Christianson, Clary, Clark, Cobb, Coburn, Colclo, Conn, Crose, Cummings, Dowell, Darrah, Dunham, Dashiell, Davie, De Mar, Daran, Eckles, English, Elerick, Epperson, Ericson, Flenniken, Freeman, Frudden, Geneva, Garst, Greeley, Gillilland, Greene, Harper, Hakes, Hartshorn, Hambleton, Hanna, Hayward, Hart, Head, Hopkins, Heles, Hughes, Hollembeak, Hume, Jackson, Jacobson, Jamison, Jones of Mahaska, Jones of Montgomery, Kimme, Kendall, Kinne, Kennedy, Kling, Koontz, Lambert, Laird, Langan, Leech, Lewis, Lister, Lowrey, McAllister, McClurkin, McDole McElrath, McNie, Maytag, Maben, Martin, Mattes, Meredith, Molsberry, Morris, Mott, Newberry, Olson, Peet, Powers, Pritchard, Ritter, Robinson, Saunders, Sankey, Smith of Mitchell, Smith of Des Moines, Spaulding, Stirton, Spaulding, Stookey, Springer, Stuckslager, Stauberg, Stoltenberg, Summers, Teachout, Turner, Temple, Teter, Van Eaton, Wade, Washburn, Warren, Weeks, Whipple, Welden, Wilson of Fayette, Whiting, Wilson of Clinton, Wilson of Washington, Winne, Wise, Wright Wyland, Young of Lee, Young of Calhoun, Mr. Speaker.

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

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

Motion prevailed.

The President appointed Senator Ericson on the part of the Senate and Dashiell of Warren and Robinson of Emmett on the part of the House.

The committee waited upon the Governor and escorted him to the Speakers desk.

Chief Justice McClain of the Supreme Court of Iowa, administered the oath of office to Lieutenant Governor Herriott and to Governor Cummins.

The President of the joint convention then presented Governor Cummins, who read his biennial message as per previous invitation, and which was as follows:

GOVERNOR'S MESSAGE.

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

There have been presented to me, as Governor of the State, reports from the several departments as required by law, namely:

Secretary of State. (Pertaining to Land Office.)
Secretary of State. (Pertaining to Criminal Convictions.)
Auditor of State.
Treasurer of State.
Attorney General.
Superintendent of Public Instruction.
State University
Iowa State College of Agriculture and Mechanic Arts.
State Normal School.
Board of Control.
Commissioner of the Bureau of Labor Statistics.
State Librarian.
Iowa Library Commission.
State Historical Department.
State Historical Society
State Horticultural Society.
Adjutant General.
Dairy Commissioners.
Railroad Commissioners.
Mine Inspectors.
Boat Inspectors.
Custodian or Public Buildings.
Geological Board.
Director Weather and Crop Service.
Accountants.
Board of Dental Examiners.
State Veterinary Surgeon.
Pharmacy Commission.
State Board of Health.
Fish and Game Warden.
Capitol Commission.
Louisiana Purchase Exposition Commission.
Highway Commission.

These reports will fully advise you concerning the conduct of the affairs of the State, in so far as they have been committed to these departments and officers.

FINANCES.

The receipts and expenditures for the biennial period ending June 30, 1905, are fully shown in the reports of the Auditor and Treasurer. You will find in these reports complete information respecting all the fiscal affairs of the state during the time they cover, and it is unnecessary for me to do more than to bring them to your attention. Inasmuch, however, as it will be your duty to make appropriations for the future, I will endeavor to exhibit the financial condition of the state as it is now and as it will be upon the 1st of January, 1907, upon the basis of the present appropriations, and the ordinary and recurring expenses of administration.

The taxable value of all the assessed property in the state upon which taxes were levied in the year 1905 is $620,894,110.00. In August, 1905 the Executive Council fixed the levy for general state purposes at three and two-tenths mills.

AMOUNT IN TREASURY AND ESTIMATED RECEIPTS FOR 1906.

Amount in Treasury January 1, 1906	$ 851,715.11
Receipts from General Taxes (estimated)	1,980,000.00
Insurance Companies (estimated)	275,000 00
State Officers and State Boards (estimated)	205,000.00
General Government, for Soldiers' Aid	60,000.00
Counties, for Support of State Institutions (estimated)	480,000.00
Collateral Inheritance Tax (estimated)	125,000.co
State Institutions, Miscellaneous (estimated)	75,000.00
Interest on Deposits (estimated)	18,000.00
Total cash on hand and receipts for the year 1906	$4,074,715.11

ESTIMATED EXPENDITURES AND EXISTING ANNUAL APPROPRIATIONS PAYABLE IN 1906.

Adjutant General	$ 5,400 00
Attorney General	7,860 00
Auditor of State	31,370.00
Governor's Office	23,270.00
Clerk of Supreme Court	6,520.00
Secretary of State, Office	15,350.00
Superintendent of Public Instruction	7,720.00
Treasurer of State	11,500.00
Board of Control of State Institutions, Office	25,0 0.0
" " " " " " Support	1,300,000.00
Board of Health	12,500.co
Board of Dental Examiners	1,500 00
Labor Commissioner	6,200.00
Dairy Commissioner	10,600.co
Executive Council, Secretary's Office	11,000.00
Pharmacy Commission	7,500.00
Railroad Commissioners	13,500.00
Mine Inspectors	10,000.00
Custodian of Public Property	26,000.00
Fish and Game Warden	6,000.00
Geological Survey	8,000.00
Historical Department	16,00.00
Historical Society	7,500 00
Library Department	17,000.00
Horticultural Society	4,000,00
Agricultural Department	3,600.00
Agricultural Societies	13,750.00
District Court Judges	185,500.00
Supreme Court	45,000.00
Iowa Weather and Crop Service	2,700.00
Farmers Institutes	5,000.00
State Entomologist	1,000.00

Bacteriological Laboratory	2,500.00
Militia	71,500.00
State Printer and Binder	60,000.00
Teachers' Institute	5,500 00
Collateral Inheritance Tax Enforcement	8,000.00
Oil Inspection	25,000.00
Miscellaneous Expense Freight and Express, and Code 36-164-165	55,000.00
College of Agriculture and Mechanic Arts	159,000.00
State Un versity	190,000.00
State Normal	115,000.00
Thirty-first General Assembly	135,000.00
Sundry Small Items	3,000.00
Providential Contingencies	25,000,00
Total	$2,702,340 00

UNPAID APPROPRIATIONS FOR STATE INSTITUTIONS UNDER THE BOARD OF CONTROL WHICH MAY BE EXPENDED IN 1906.

Boys' Industrial School at Eldora	$ 4,197.21
Girls' Industrial School at Mitchellville	966 26
Soldiers' Home, Marshalltown	6,051.19
Blind Industrial Home, Knoxville	24,537.04
Cherokee Hospital for the Insane	17,078.53
Clarinda Hospital for the Insane	12,574,98
Independence Hospital for the Insane	10,030.95
Mt. Pleasant Hospital for the Insane	15,478.19
College for the Blind, Vinton	599.22
Penitentiary at Anamosa	49,391.02
Penitentiary at Fort Madison	25,054.27
Soldiers' Orphans' Home, Davenport	4,339'15
School for the Deaf, Council Bluffs	71,156.99
Institute for Feeble Minded Children, Glenwood	15,242 83
Estimated amount for contingent and repair, above institutions	40,000.00
Total	$296,697 83

UNEXPENDED APPROPRIATIONS PAYABLE IN 1906.

College of Agriculture and Mechanic Arts—	
Additional for Central Building	$ 60.234,81
Central Heating Plant and Chimney	16,623,58
Dairy Building	208,86
Dairy Building and Equipment	754.84
Herd and Equipment of Dairy Farm	4,500.00
Poultry Equipment of Dairy Farm	500.00
Equipment of Central Heating Plant	25,500.00
Good Roads	2,505.26
Engineering Department	3,00.00
Land	10,211.49
Board of Control—	
Architect Expense	1,108.88

State Agent	2,224.00
Inspection Fund	1,898.85
Tuberculosis	671 56
Quarterly Conferences	114.92
Benedict Home	1,346.20
Capitol Commission	42,085.51
Dubuque Rescue Home	1,100.00
Protection of Fish	928.97
Protection of Game	1,349.00
Gathering Fish at Sabula	102.59
Rebuilding Dams	51.83
Florence Crittendon Home	1,000.00
Grey Uniforms	775.75
Completing Historical Building	71,090.15
Educational Institutions Investigation	1,200.00
Reformatory System Investigation	500.00
Louisiana Purchase Exposition Expense	20,000.00
Monuments	136,300.00
Indexing Vaults in Secretary of State's Office	3,150.00
State University Equipment and Supplies—	
Paving and Sidewalks	2,000.00
Tunnels and Extensions	2,500.00
Dam and Water Power	2,500.00
Library	5,000 00
Land	6,000.00
Engineering Building	12,500.00
State Normal School—	
Library	1,250.00
Librarian and Assistant	1,250 00
Proceeds from Sale of State Square	6,250.00
State Treasury Safe Repairs	1,000.00
Vault Crowns	958.00
Total	$ 450,445.05

RECAPITULATION.

Cash and Receipts:		
Cash on Hand, Jan. 1, 1906	$ 851,715.11	
Estimated Receipts to Jan. 1, 1907	3,223,000.00	
		$4,074,715.11
Expenditures:		
Unpaid balances state institutions	$ 296,697.83	
Unpaid balances general	450,445.05	
Estimated expenditures and annual appropriations payable in 1906	2,702,340.00	
		$3,449,482.88
Balance, January 1, 1907		625,232.23

This balance, with such addition as experience shows may be safely reckoned on account of sums payable bnt still in the treasury, say $200,000 or $300,000, indicates the extreme limit of extraordinary appropriations that can be made to be paid out during the year 1906 Strict economy should be the dominant spirit in all deparments of the government, but this does not mean that the state should refuse to perform any duty that the welfare of the people imposes upon organized society.

PROVIDENTIAL CONTINGENT FUND.

The Thirtieth General Assembly appropriated $50,000 for the purpose of meeting the contingencies of destruction by fire or other casualty of the public property of the state. No such misfortune has occurred, and I am glad to advise you that no part of the appropriation has been expended.

INTEREST RECEIVED ON DEPOSITS.

It is a pleasure to report that under the law passed bv the Thirtieth General Assembly, the State Treasurer made an arrangement, effective from May 15,1904, with regard to interest on deposits, with the result that during the nineteen and one-half months since that time the Treasurer has received from the various banks in which the money is deposited the sum of $38,955.89 as interest.

PRINTING AND BINDING.

The Secretary of State is of the opinion, and I fully concur with him, that there are more volumes of many of the reports printed and bound than are necessary I believe that a very considerable saving can be made by reducing the number of some of these reports, without any injury to the state. I recommend that your appropriate committees examine this subject, and amend the statute now in force, in accordance with the public need as shown by experience.

STATE AUDITOR.

The Auditor has filed with me not only his regular biennial report, but a supplemental report directed solely to our insurance laws and needed legislation upon the subject of insurance. I commend these reports, and especially the supplemental report, to your careful consideration. I heartily concur in all his recommendations.

Having given some thought to the subject, and realizing its importance, I venture upon the expression of my own views upon some phases of the business.

I need not remind you that there has been much discussion of life insurance among the people generally during the last two years. It is just beginning to be a little understood bv policy holders. The opportunities for dishonesty and extravagance have been so fully exploited in the investigations recently carried on in New York that the public mind is engrossed with the inquiry, "What can be done to insure fidelity and protect those who have contributed the immense sums now in the posession of the insurance companies?"

It would serve no good purpose to consider at this time the possibility or probability of federal supervision; nor would it accomplish anything to repeat the condemnation we all feel for the flagrant breaches of trust which have been exposed. I shall deal only with practical questions which concern the people of our own state, and I will confine myself to suggestions looking toward remedies that we may apply.

This state long ago adopted the policy of requiring all its own life insurance companies doing business upon the "legal reserve" plan to deposit securities

with the State Auditor in an amount not less than the legal reserve, for the protection of policy holders. It cannot be doubted that this is a wise system. We have seen that the possession of great volumes of securities which can be changed, manipulated and used for individual profit and ulterior purposes, presents a temptation that most men cannot resist, and constitutes a menace that ought not to be perpetuated. I believe, therefore, that from this time forward all "old line" life insurance companies organized under the laws of other states and desiring to carry on business in the State of Iowa, should be required to deposit with the State Auditor securities equal in amount to the legal reserve upon the policies issued upon lives in this state, for the protection of such policy holders; the deposits to continue until the state in which the company is organized sha l require a deposit of the entire legal reserve with some state officer, at which time our Auditor should transfer the securities so placed with him to the officer of the state in which the company is organized. If a few states would adopt this plan it would result in every state having insurance companies requiring the deposit. I earnestly recommend to you a careful investigation of this phase of the general subject.

Another grave defect in the methods of life insurance developed by the recent study of the subject is the accumulation of a so-called surplus, which, in a great measure at least, represents deferred dividends; that is to say, the sum which the company, in a vague way, promises to distribute at a future time to its policy holders, but concerning which there is no specific agreement fixing the amount of the distribution. The surplus so existing is not reckoned as a liability, for the reason that no policy, so far as I have been able to ascertain, contains any more positive assurance of distribution than that the policy holder shall be entitled to such share of the surplus as the directors of the company may determine. The whole scheme of deferred dividends has a tendency to lead the business away from the field of indemnity into the field of investment—a tendency which is altogether too prominent, and which should be checked by such reasonable regulations as can be prescribed without injuring the legitimate enterprise of insurance; but there is a still more potent objection to the practice.

As is well known, the premium charged by a legal reserve company is made up of two parts: First, mortality; second, the loading for expense. The actual mortality is considerably less than the theoretical mortality, and it might happen that the share alloted to expense is not altogether consumed. From these overchargcs in the premium, together with a portion of the interest earned, the surplus is created, and the general promise is, to return this surplus to the policy holder in the form of dividends. I am speaking now of a mutual company, although it is likewise true of a company having capital stock, with the one exception of the diminution in the earnings caused by whatever claim the capital stock may have upon them. No company can safely make any definite promise with respect to the surplus so acquired, for the obvious reason that its extent must always be uncertain. One of the issues in the insurance business therefore is, shall this surplus be ascertained and apportioned and disposed of in some manner at short intervals, or shall it be allowed to accumulate during long periods, and then be paid to the policy holders in such proportions as the board of directors of the company may think best? It seems to me that every consideration of safety and fair dealing requires that the surplus to be credited or paid to participating policy holders shall be ascertained and paid, or otherwise disposed of, every year. In so saying, I do not mean, neces-

sarily, that the first or second years of a policy shall be so treated, because the expense of getting the business, with the mortality, quite consumes the premium for those years. If the dividends are deferred for a long period, the policy holder is absolutely at the mercy of the company. Even if he could override, by a judicial proceeding, the discretion of the board of directors in apportioning the surplus then due him (and the courts have decided that he cannot) the cost of procuring the proof necessary to establish his rights would far exceed any benefit that he could derive from the litigation. If, however, the law imposes upon the company an imperative obligation to ascertain and apportion the amount of the surplus due to each participating policy holder at the end of each year, then the natura lforces of competition between companies, together with the option on the part of the policy holder to surrender his policy if the dividend be not fair and satisfactory, will protect the policy holder from any serious wrong.

I therefore recommend that the law be so strengthened as to require an annual accounting between each company and its policy holders so that at the close of each year the policy holders will be notified of their respective shares in the surplus of the preceding year. The amendment should also provide for the options which at that time may be exercised by the policy holder: namely, to withdraw the dividend in cash or to use it for the purpose of purchasing further insurance. In so recommending, it must not be understood that I advocate the distribution, annually, of the entire surplus. It would be unwise to insist that the assets of the company shall at all times be no more than its liabilities. There must be a margin of safety to cover unexpected and extraordinary conditions. There are widely differing opinions with respect to the amount or percentage that should be reserved as the margin of safety, and this divergence of judgment can only be adjusted by your good common sense, to which I confidently submit the whole controversy.

It is believed by many thoughtful men that there should be a limit to the aggregate amount of insurance which a company should have outstanding or, in other words, that the amount at risk should be restricted to some large, but reasonable, sum.

I have not been able to reach a satisfactory conclusion upon this subject, and therefore make no recommendation upon it. It is, however, so important—indeed, so fundamental—that I comply with many requests and invoke for it your careful consideration.

This state has, with great wisdom, pursued the policy of narrowly restricting the manner in which the legal reserve of a company may be invested. It is to be hoped that an enlightened conservatism will always control this essential feature of supervison. I believe, however, that the time has come to enlarge the field of investment. In harmony with the plan already adopted, life insurance companies should be permitted to invest in drainage bonds, and in such securities as paving, curbing, sewering or other public improvement certificates. These securities are as safe as municipal bonds, and inasmuch as the opportunities to loan money on real estate will gradually become less, you ought to open such other remunerative fields as are without danger. I believe, also, that every life insurance company organized under the laws of this state should be permitted to invest a reasonable sum (to be fixed by the Executive Council, but not exceeding ten per cent of its legal reserve) in a home office; and that, upon a transfer of the title to

such office in trust to the Auditor, its value, as determined by the proper authority, should be reckoned a part of its deposit with the Auditor. The course I have suggested will not only insure safety in the investment of assets, but will have a tendency to keep the money of our people at home, and to build up the state.

In this connection, I desire to call your attention to a feature in our present law that ought to be amended. As the statute now is, life insurance companies can loan money upon real estate, under certain limitations, in Iowa and in any other state in which they are authorized to do business. It is the intent of the law that investments of this character shall be under the supervision and subject to the approval of state authority. With respect to loans upon real estate made in distant localities, this supervision becomes exceedingly difficult, if the right be given to loan wherever the companies are issuing policies. The law in this respect ought to be changed, so that if the companies desire to loan money upon real estate in other states, they should first apply to the Executive Council, and receive authority from that body, prescribing in what states or parts of states, other than our own, such loans can be made. Do not misunderstand me. I do not propose that each mortgage shall be approvod by the Executive Council, but that the territory in which loans may be made shall be fixed by an order of the Council. The gradually decreasing rate of interest in Iowa furnishes a strong motive to loan elsewhere, and there should be some other check than the mere admittance into another state for the purpose of issuing policies.

The last suggestion that I have to make with respect to life insurance is not the least important, indeed I do not recommend action upon it by this General Assembly. It involves an extent of study and investigation that will probably preclude you, even if it should meet your approval, from disposing of it at this time.

There is more fraud and deception, sometimes intentional and sometimes unintentional, practiced upon policy holders by reason of the variety in the forms of life insurance contracts than in any other way. There are hundreds of these forms, differing oftentimes but slightly from each other, and these differences are, in my opinin, in many instances created for no other purpose than to enable the agent to found upon them an argument, the fallacy of which cannot be detected by the unskillful mind, and the effect of which is to create an atmosphere of mystery about the entire business There are but two kinds of legitimate lifeinsurance contracts. You can certainly number them on the fingers of your two hands. There is no sense in the almost infinite multiplicity of forms. I believe that there should be stan dard forms of policies. They should be uniform with all companies. They should be plain, simple, and direct. The obligations should be understood If we had such uniformity, the people would soon come to know what insurance is, and what the insurance companies agree to do in each of the severa forms of contract issued. I believe that it is your duty to institute such an investigation and to collect such information as will enable a subsequent General Assembly to deal intelligently with this vital phase of the business

I believe that Sections 1709 and 1710, as found in the Code Supplement, should be amended. Under the construction which has been properly put upon them, the right to insure against casualty to plate glass is restricted to companies operating under subdivision 1 of Section 1709, and companies

operating under subdivision 5 of that section are prohibited from that kind of business.

I cannot think that this was the intent of the General Assembly, for the result is to eliminate competition and to make the rates upon plate glass insurance indefensibly high.

Subdivision 6 of Section 1709 creates a practical monopoly in the insurance of steam boilers in one company. We have experienced the natural outcome of this condition. I find upon comparison that the rates prevalent in Iowa for the insurance of steam boilers are very much higher than the rates charged by good companies in adjoining states. I can perceive no reason why companies operating under subdivison 5 of Section 1709 should not insure against boiler explosions, and I feel that were the statute so amended it would be for the advantage of our people.

A PRIMARY ELECTION LAW.

In my last biennial message, I stated at some length my views upon primary elections. Two years of thought and discussion have strengthened my belief in the system of nomination by direct vote of the primary electors. I then said that as between nominations by a mere plurality and nominations by conventions, I was inclined to favor the latter. Upon this point and upon this point alone have my opinions experienced a change. Further study, reflection and observation have convinced me that we must either accept the primary system, in so far as it is applied with direct nominations, as a whole, or the convention system as a whole. With these alternatives before me, I have no hesitation in declaring that I am for the primary system of nominations by plurality, rather than of nominations by conventions. If there were any practicable plan through which the voters could work out their second choice, I would gladly endorse it but after giving to the subject all the thought of which I am capable, and giving to the laws of other states the most exhaustive study, I am unable to discover any workable arrangement through which the voters can express their second choice. The law that controls or regulates the nomination of candidates for office has no element of partisanship in it. There is no reason why the members of one party should be for it and the members of another party against it. Nor has it any element of factionalism in it. There is no person wise enough to predict how such a law may affect him personally, and no man should be unpatriotic enough to attempt it. The man who favors or opposes such a law because he believes that for the time being it will promote or retard the fortunes of any particular person or company of persons is unworthy of the citizenship he enjoys. The movement for nominations by direct vote is simply a part of the mighty forward march of civilization. It is nothing more than a recognition of the fundamental truths of the declaration of independence, and an effort to bring our laws into harmony with the framework of free institutions. It is a part of the universal demand that the voter shall do nothing by proxy save those things which, in the very nature of our government, must be done by proxy. Constitutions can be made by the voters, and therefore they are made by the voters. Laws which comprise infinite detail cannot be made by the voters in their original capacity, and therefore you are the proxies of the voters of the State of Iowa for the enactment of laws. Nominations for office can be made by the voters, and therefore there should be no such thing as a proxy intervening between the voter and his choice. I have said that the system of nomination by direct vote is but a phase of a uniform and continuous advance of the people. It began in the early days of the Republic. Originally, the President and Vice-President

of the United States were elected by proxy, and the electors were expected to use their own judgment respecting the selection. It was not long, however, before this idea became intolerable, and the present plan was adopted, which is the nearest approach to an election by the voters that is possible without a change in the constitution. For years, the voters have, in substance voted for the President and Vice-President, for it is hardly possible to conceive of an elector venturesome enough to disobey the implied command put upon him by the voters of his state.

Senators in the Congress of the United States are still elected by proxy, but the General Assembly of the State of Iowa and the conventions of the several political parties have repeatedly declared for a change in the constitution that will require their election by a direct vote, and in so doing they have been associated in action with the legislatures and parties of more than one-half the states of the Union. Every lover of his country must see how important it is to make the voter as influental as possible in the management of public affairs. Our government is founded upon the vital thought that the citizen is intelligent enough and patriotic enough to hold opinions and express them. The clear trend of modern reform is toward the enlargement of his power and the awakening of his sense of responsibility.

The dominant party in this state has, in many counties, recognized the supremacy of the voter, and has established county primaries for the nominations of county officers. I doubt whether a single county could be induced to return to the old plan. The system of caucuses and conventions is not only ful of opportunities for the exercise of pernicious influences, which may and often do neutralize and destroy the will and wish of the voters, but, however fairly carried on, results, ordinarily, in nominations by skilled leaders and expert manipulators, rather than by the people. The caucus gives proxies for all voters of the party it represents, for the county conventions. The county convention gives proxies for all the voters of the county to the district or state convention And thus, when the end is finally attained, the outcome may not be what the voters want, but what twice-removed delegates may want. I have no doubt that oftentimes the delegate plan does register the desire of the voters, but it fails so frequently that it ought not to be preserved.

How many of you would favor the election of State and county officers and representatives in Congress by delegates chosen in caucuses and conventions? I venture to say, not one of you; and yet the election of candidates to office is not more important than the selection of candidates for the general election. Some most excellent men who are opposed to primary elections seem to think that the only purpose of such a system is to prevent cheating and that sordid form of bribery commonly observed in crowded populations. Such men fail to discern the still greater evils against which the proposed enactment is directed. The chief object of a primary election law is to make it certain that the voice of the plain common man will be heard and heeded. It is possible for him to be heard under the present system, but it requires an effort that he will not always make, and which he never ought to be compelled to make.

All men will agree that the voters of any political party should determine who its candidates should be. This, I assume, is a fundamental truth, held as firmly by those who are against the primary as by those who are for it. Those who are against it, however, seem to believe that the voters can work out their desires as effectually through caucuses and conventions

as through primary elections, and here the issue is joined. In caucuses and conventions the leader, the alert and successful organizer, the men ready with speeches and motions, the unscrupulous manipulator, find there his completest opportunity for influence. Some of the things done may be innocent and some of the things done may be wrong and vicious; but whether innocent or vicious, the ordinary voter who gives no futher attention to politics than to become familiar with public questions and to vote when the time comes, has no fair chance in the mysteries of the caucus and the convention. If there was no other reason for a primary election law, it would be needed to equalize the capacities of men for management, and to make it more difficult, at least, for the man who promises to bring in township or county, to fulfill his promise.

There is, however, another view which appeals to me still more strongly. Our country has changed mightily in the last quarter of a century. Business and commerce have passed, in large measure, from the individual to the corporation. The corporation has well nigh captured the industry of the United States. There is a close association and sympathy among the great combinations of capital which enable them to move as though directed by a single will. They are vitally concerned in the laws which are, from time to time, adopted, and therefore one part of their gigantic purpose is to control, to a degree, the government—national, state and municipal. He who does not see and feel this effect is both blind and insensible. These corporations and combinations have at their command untold wealth, the strongest intellectual force ever organized, and an infinite variety of channels through which to work; and they intend to prevent any government from enacting or enforcing any law which they think ought not to be enacted or enforced. They will do this thing if they can, and the most casual student of human nature must perceive that the attempt springs from the commonest characteristic of the human race. There is just one way in which they can do it effectually, and that is to determine who shall be nominated and elected.

Their arts cover the whole range of influence. At one time they bribe, at another they browbeat. Now they deceive and now they seduce. They take one man to the top of the mountain and show him the world that may be his, and with another they take from his shoulder a burden that is too heavy for him to bear. They run the whole gamut of human affections, and sound every note in the chords of both virtue and vice. In short, they are equipped to do whatever the occasion requires. There chief officers are usually men of standing and morals, but their operations are so vast that when they issue an order to accomplish a certain result, they do not feel responsible for the manner in which it is attained.

In this state the railway companies are the political corporations, and while they have not introduced here all the methods which have been observed elsewhere, it is manifest that they have intended to direct the course of the state, and that they still intend to direct it if it be within their power. The railways and their allied forces want to preserve the caucus and the convention simply because they know that they will have a better chance through this system of dominating the affairs of the state than they would have through a primary election system. They cannot so easily spread their nets about the voters as they can about delegates. Their leaders cannot be so intimate with the body of the people as they are with

the managers of caucuses and conventions. A primary election law will minimize, if it will not destroy, the power of railways in politics; and if there were no other reason for enacting such a statute, this would be sufficient, I look upon the abolition of passes and the adoption of a primary as parts of the same remedial legislation, They are both needed to secure the desired end, and neither will be entirely effective withoutthe other.

I must not be understood as even hoping that a primary election law will bring about the millennium in politics. There will still be fraud, selfishness, deceit; but I am sure that when the law is passed we will have taken one step toward purer and better goverment. I am quite aware that there are some counties in the state whose representatives will not feel the necessity of a change as far as their own counties are concerned; but I trust that they will not measure their responsibility by the condition of their own communities, but on the other hand will view the proposed law from a standpoint that will enable them to see the welfare of the entire state.

I cannot dwell upon the datails of the law. There may be and probably are difference of opinion with respect to the scope as well as the detail of the legislation. There are certain essential features, however, which I venture to suggest.

First. The law should provide for the nomination by direct vote of all candidates for all offices filled by the voters, and the office of Senator in the Congress of the United States.

Second. It should provide a primary election for all political parties, to be held at the same place and time.

Third. It should provide that the person receiving the highest number of votes for any particular office should be the nominee of the party for such office.

Fourth. It should provide that every voter, if he votes at all, should vote the ballot of the party with which he is affiliated.

Remember that I am not advocating any special bill. I am advocating only the spirit of a measure which when it becomes a law will, and I earnestly believe, promote the cause of good government, and the interest of all the people.

RAILROADS.

There has been much discussion, not only in our own state but elsewhere, respecting free transportation, or passes, over railway lines. The practice is vicious and should be prohibited. It is utterly indefensible from any point of view. It is certainly not true that every pass issued by a railway company is issued with corrupt intent, nor is it true that every person receiving a pass accepts it with unlawful motive. A great deal of free transportation has been issued and is being issued in obedience to a custom that has become firmly fixed in the gradual growth of years. It is, however, true that the system has taken on such proportions and is so generally used to influence public opinion and bribe public officers that it should be abolished, root and branch. I have pointed out in another part of my message how natural it is—indeed, how inevitable it is—for railway companies, in common with other great corporations, to attempt to direct the course of government and mould its policies to promote their own interests. It is to be expected that railway managers will endeavor with all their might and main to secure the

enactment of such laws as will make their properties more valuable, and their revenues more ample. It is to be expected that they will exhaust every influence to prevent the passage of such laws which restrain or regulate their practices. In so far as they can accomplish these results by fair, open argument, they are entitled to all the victories they can win; but when they use free transportation to tempt either the private citizen or the public official into friendly co-operation; when they employ the pass to turn activity into apathy or to convert independence into servility; in short, when they pay men to ignore the public good and forget the general welfare—they commit a crime against the fundamental tenet of free government. It is wholly impossible to discriminate between those that can be influenced with such courtesies and those who cannot, and therefore if the remedy is to be commensurate with the evil, it must prohibit all free transportation. This is right from any point of view. The railways are public highways, and all persons are entitled to use them upon the same terms under like conditions. Under the pass system, those who are best able to pay travel for nothing, and those who are least able to pay make up the loss. I earnestly recommend the adoption of a law which will have no exceptions to the prohibition except two, and they are not, when properly analyzed, exceptions. Persons in the service of a railway company who receive passes by the custom of the companies as a part of their compensation should be permitted to receive them, and the stock shipper, who must either accompany his stock or send someone in his stead, should be allowed free transportation and return to his home, because an attendant is necessary to care for the stock, and the transportation for such an attendant is a part of the freight charge. In some states in which there are statutes against passes, the attempt is made to limit the prohibition to persons holding official position. I regard such statutes as altogether inadequate, for there is as much harm in giving free transportation to prominent men, to leaders in political contests and to delegates to conventions as there is in giving them to men after they have been elected to office. I sincerely hope that your patriotic judgment will lead you to make an end, once for all, of this custom, not a part of it but all of it, condemned as it is by the universal opinion of mankind. It will be understood that what I have said about railways applies with equal force to street railways, telegraph, telephone, express companies and sleeping car companies—in short, to all public service corporations.

I respectfully recommend, also, a further regulation with respect to passenger fares upon railways. At the present time, the ordinary traveler pays three cents per mile. The railways sell a mileage book covering 2000 miles of travel, good for one year, at the rate of three cents per mile, with a rebate for the mileage, to be exhausted within the year, of $19.50, or substantially one cent per mile. They have also a credential system which involves a travel of 4000 miles within the same period, with a rebate of one cent per mile. I am unable to perceive the equity or fairness of these rules. If the mileage book plan be a good one, it seems to me that you should require the railways to sell mileage books, good for 1000 miles and upwards, at a flat rate of two cents per mile, good until used, and if purchased by the head of a family there is no reason why it should not be used by any member of the family. I understand and appreciate the difficulties of identification, and the menance of the scalper, but the difficulties are not insurmountable, and I believe the effect of such legislation would be to at once lighten the burdens of the people and increase the revenue of the railways. The man who travels little is at present at too great a disadvantage as compared with the man who travels much.

What is commonly known as the "long and short haul" clause in our statute absolutely forbids a railway from charging a less passenger fare for a greater distance than a lesser one on the same line. The general justice of such a provision is unquestionable, but I believe that there are circumstances under which the railways should be permitted to meet competition without effecting intermediate points. You will better understand what I mean through an illustration. A passenger desiring to travel from Des Moines to Marshalltown has the option of several routes. The Chicago and Great Western line is the shortest route, and the fare which that company is permitted to charge is three cents per mile. I can see no good reason why the Chicago and Northwestern, for instance, should not be permitted to carry the passenger for the same fare that is allowed to the Chicago and Great Western line, without affecting the charge to intermediate points between Des Moines and Marshalltown on the Chicago and Northwestern line.

I therefore recommend such an amendment to the law as will authorize the Board of Railroad Commissioners, under such circumstances, and after due investigation, to relieve the railways from the effect of the long and short haul clause in the statute. I do this not only because I believe it is just to the railways, but because it will greatly convenience the traveling public.

PARDONS AND PAROLES.

As required by the laws, I present to you herewith a statement of all pardons and suspension of sentences issued by the Governor during the past two years. This statement will show briefly the reasons upon which action was taken in each instance. All communications, petitions and letters received upon applications for executive interference are on file and are open to the inspection of any person who desires further information.

I have, during the aforesaid period, issued six pardons; one upon the initiative and recommendation of the Thirtieth General Assembly, and five upon my own motion. I have released from the penitentiary in that period 130 convicts by suspension of sentences, otherwise known as paroles. I have released from the county jail in the same manner 40 convicts. I have restored to citizenship 55 persons, remitted 70 fines, and 3 forfeitures.

Inasmuch as you will be called upon to consider the report of your joint committee relating to reformatories and indeterminate sentences, you will be interested to know something of the success of the system of paroles as now established in the Governor's office. The general rule that I have attempted to follow is this: If I find a person, especially a young person in the penitentiary, whose offense was not the outcome of a criminal or vicious life, but was committed under peculiar circumstances and great temptations, and of whom I believe, after full investigation, that if released, an upright life would follow, I have been inclined to give such a person a chance for redemption. I have made mistakes, as a matter of course, for the attempt to look into the heart of a human being is a difficult undertaking. Nevertheless, I have been much gratified with the result as a whole. Of the 170 persons who have been paroled in the last two years, I have been compelled to return to the penitentiary or jail, under revocation of parole, but 13. All but 7 of the 130 persons released from the penitentiary are reporting regularly to me, and all but 9 of the 40 released from the county jail. I have maintained over these persons as effective a supervision as was possible with the assistance allowed me, and I believed that all of them, or substantially all of

them, have been since their release conducting themselves in an upright, honest, and industrious way. I am more firmly persuaded than ever before that reformation should be one of the great objects of the criminal law, and that the release of prisoners under parole is entirely consistent with the preservation of the sentiment that punishment must follow wrongdoing.

In this connection I again urge upon you the adoption of the indeterminate sentence for many of the crimes recognized by the law. I will not enlarge upon the subject, for I assume that the committee to which I have already referred will, in its report, discuss carefully and adequately this most interesting phase of criminology. I am most heartily in favor of the plan for the division of our convicted criminals, making the institution at Anamosa a reformatory for men and boys, and the institution at Fort Madison the penitentiary for the more hardened and habitual criminals. My observation does not permit a doubt that a much larger proportion of our young men who have gone wrong can be saved for decent lives than are now saved, if the enlightened methods that have found favor among the closest students of crime and reformation are employed here. I am in favor, also, of a separate reformatory for women and girls, and I earnestly urge you to take the initial step required to bring about that end. It is true that at the present time there are only 18 or 19 women and girls in the penitentiary at Anamosa although the whole number of prisoners in the two penitentiaries is more than 800. The truth is that juries will not convict nor will judge sentence women and girls to the penitentiary, save in rare instances, for those offenses of which they are most commonly guilty. If we are to do anything to purify society in this direction, we must furnish a place more suitable for their detention and reformation than we now have.

APPLICATIONS FOR PARDONS BY PRISONERS CONVICTED OF MURDER IN THE FIRST DEGREE.

There have been filed in the office of the Governor 12 applications for pardon by persons convicted of the crime of murder in the first degree, and sentenced to imprisonment for life in the penitentiary. Due publication has been made of these applications, and I herewith transmit them to you for such investigation as the law requires at your hands, and for such recommendation as you may be pleased to make.

I submit also two applications for commutation of sentence from death to imprisonment for life; namely those of Louis Busse and Joseph C. Smith. These applications were made to me for the exercise of the clemency within my power; namely, commutation from a death sentence to imprisonment for life, and in so far as I am advised they were not intended to be submitted to you. I considered them both very carefully, and denied the commutation, fixing a day in each case for the execution of the sentence. I was then and am now in doubt whether my duty required me to place the application before you. I am inclined to the opinion that, under the law, they are not such applications as are to be passed upon by the General Assembly, but inasmuch as the decision involved the lives of two men I gave them the benefit of the doubt. Although the day for their execution is fixed, it is after the probable adjournment of your body. I leave the whole subject with you to be dealt with as your view of the law and judgment of the circumstances may direct.

THE CENSUS OF 1905.

Pursuing the authority given by the Thirtieth General Assembly, the Executive Council has taken and compiled a census of the state for the year 1905. The extent of information sought concerning population and agriculture corresponded with the modern notion of the scope of a census, and when the Council came to compile this information and such further statistics as could be obtained from sources other than the assessors' reports, it was found that the appropriation of $15,000.00 was insufficient to meet the expense. I believe it to be true that those who were employed to do this work rendered as much service for the state as any like number of persons ever rendered, even in private business, for like compensation. In this dilemma, the Council found it necessary to determine whether the census report should be issued shorn of much of the valuable knowledge so collected, or whether it should undertake to add something to the appropriation. Before reaching a decision, the Council consulted the chairmen of the committees on appropriations in the two branches of the Assembly, and asked them to confer with the members of these committees. This being done, the Council was advised (as the individual judgment of these members) that it ought to make the census report complete, even though it cost more than the appropriation, and that the members of the two committees would recommend that the present General Assembly reimburse the members of the Council for any additional expense incurred, not exceeding $5,000. Thereupon, the members of the Council furnished $5,000 upon their own responsibility. It is for you to say whether this sum shall be repaid to them. I confidently assert that the census report now about to be issued is more varied and will be found more helpful and instructive than any former report, and I beg a careful examination of its scope by all those who are interested in such publications.

HISTORICAL BUILDING.

In pursuance of an act of the Thirtieth General Assembly, the Excutive Council acquired the remaining lot in the half block upon which the building is situated, paying therefore $6,000.00. The house on the lot sold for $501.00, making the real cost $5,499.00. The excavation for that part of the building now under construction cost $6,981.59, and the contract was awarded, after competitive bids, to Henry W. Schleuter, of Chicago, for the construction of so much of the building as I shall describe, for $167,086.00. By the terms of the contract, the basement and the first and second floors of the east wing of the building, which are to be occupied mainly by the State Library and the Library Commission, were to be entirely finished, except the interior door and window casings of the library, which the Executive Council believe should be of steel and of the same style as the book stacks. The central part of the building was to be complete, as to its exterior. The contract did not include plumbing, heating and ventilating. The Council found it impossible to economically construct the east wing of the building alone, and therefore included the central part to the extent above described The contractor agreed to complete the building, in so far as it was embraced in the agreement, by the first of January, 1906. We have, however, experienced the common fate of delay, and it is not probable that he will finish his work before March first. In order to make the building habitable for the State Library, it will be necessary to install the plumbing, heating and

ventilating plant, purchase book stacks, and put on door and window casing, either of steel or wood. The Council has expended of the appropriation as follows:

For real estate and excavation	$12,480.59
For architect, superintendent, sewer, etc	8,662.62
For Henry W. Schlueter	132,012.58
Total	153,155.80

STATE SQUARE.

In accordance with an act of the Thirtieth General Assembly, the Executive Council sold State Square for $8,500. The authority so to do was accompanied with a direction to invest the proceeds of the sale in lots fronting upon Capitol Square. The Council has purchased one lot fronting on Eleventh Street, between Capitol Avenue and Walnut, for $2,250. It has endeavored to purchase other property, but has hitherto been unable to agree with the owners upon a price.

EDUCATIONAL INSTITUTIONS.

In view of the fact that the Thirtieth General Assembly appointed a joint committee to examine into the methods of management of state educational institutions, and knowing how patiently and carefully the committee has investigated the subject, I shall not at this time present my views upon the controversy that has engaged the best thought of the people of the state.

There is one phase of the matter, however, to which I can refer with entire propriety. The University, the College of Agriculture and Mechanic Arts, and the normal School were never so prosperous and efficient as they are at this time.

The University, notwithstanding the unhappy incidents of nearly two years ago, has grown as it never grew before. Its enrollment is now substantially 400 in excess of the enrollment on the first of January, 1904. It has taken on new life, and has expanded its courses of instruction so that they measure up to university standards, and it is now firmly established in the confidence of the people.

The College at Ames has not only maintained the high reputation which for years it has worthily borne, but has still further strengthened itself in the esteem of the educational world. By common consent it holds the first place among all the institutions of its kind. I believe that its work in agriculture among the people of the state during the last two years is not only without parallel in the history of such schools, but that it has done more in that time to advance the interests of our farmers than science ever did in a like period for industry.

The Normal School has raised still higher the criterion of such institutions, and its work in equipping the teachers of the state for their important labors is unsurpassed anywhere.

It is plain that the generous appropriations for these institutions which began a few years ago are beginning to bear fruit, and I bespeak for all of them a continuation of the liberal policy under which they have come from obscurity into prominence. There is no state that has a better constituency of boys and girls than Iowa. They are so born and bred that with proper training they easily become leaders in all the fields of human activity. We

owe to them a profound and continuing duty. They are entitled to all the advantages that the best schools can confer upon them. While it is not to be expected that all the boys and girls of the state will take on all their education in our own schools, not a single one of them should leave the state because there is a better school elsewhere. To keep these boys and girls at home and to attract others from neighboring states, we must keep pace with the times. We must continue to erect buildings of the best type. We must increase the support to meet the growing demand, and we have a demand which arises not alone from greater numbers, but from more complete and varied instruction. We have not a penny for useless expenditure, but we have millions for the perfect training of our boys and girls.

THE LOUISIANA PURCHASE EXPOSITION COMMISSION.

This commission has finished its labors and made its final report, leaving a large part of the appropriation unexpended. It deserves the highest praise for the faithful and efficient way in which it represented the State in memorable celebration of which it was a worthy part. I feel grateful to its distinguished President, and to all his associates, for the unselfish and uncompensated labor which they performed for the honor of the commonwealth.

THE CONSTITUTIONAL AMENDMENT INTRODUCING BIENNIAL ELECTIONS.

In accordance with the resolution adopted by two successive General Assemblies, there was submitted at the general election of 1904 the constitutional amendment to bring about biennial instead of anndal elections. The amendment was adopted by the electors and due proceedings were had to make it a part of the organic law of the state. The only concern that we now have with regard to the amendment is the adjustment of our statutes so that they will conform to the constitution, as it now exists. There are many sections of the Code which will require amendment. I have given some time to the examination of the subject, and have collected a list of the sections that must be changed. It is probably incomplete, but such as it is I will gladly deliver to the committees that will be entrusted with the work. It would avail nothing at this moment to recite these sections, and I therefore simply mention the matter. So vital is the necessity of bringing the Code into harmony with the constitution and so careful and thorough, must the investigation be, that I take the liberty of recommending that the work be given to a special committee in each branch of the assembly.

One effect of the amendment will be to bring into office all elective officers at the same time. So far as the state is concerned, I do not think this is especially objectionable, but I do believe that in the counties it will be a serious obstacle in the way of efficient management. Two remedies have been proposed: First, to make the terms of office generally four years instead of two, so that a part of our officiary will be elected in one biennial period and a part in the succeeding period, just as they have heretofore been elected in alternate years. Another remedy to meet the trouble that may arise in the counties is that, although elected at the same time, the terms be made to begin at different times in the year, and thus preserve a measure of continuity and experience. I have reached no settled conclusion upon these remedies, and therefore express no opinion. I only say that the difficulty is a real one, and should receive the mature reflection of the General Assembly before any action is taken.

HALL OF ARCHIVES FOR RECORDS.

The Historical Building will shortly be completed and ready to receive that part of our archives, or records, that the General Assemly may establish in the building a Hall of Archives, in which there shall be placed, in a methodical and systematic way, a large portion of the records which are now in the capitol building. There is no authority for the transfer of such records, nor for their proper custody in the new building, and I recommend such legislation as shall set apart a suitable room in the new building for this purpose, and clearly describe the records that shall be preserved. I do not enter the detail of the subject, but bespeak for it your careful consideration.

STATE BOARD OF HEALTH.

In view of the fact that practioners in the Osteopathic school of the treatment of diseases are not required to pass an examination before the State Board of Medical Examiners, I believe it is wise and just that the law be so amended as to require the appointment, at large, of one member of the Board of Health and Medical Examiners from that school.

It seems to me that it would be better to appoint such member from the state at large, for the reason that it is difficult to readjust the present health districts, and there would be a greater certainty of securing an efficient member.

PURE FOOD.

I have received from the Secretary of the Department of Agriculture the report of a committee of the Board relating to pure food. The report was adopted by the Board of Trustees, with the request that I consider it in connection with my message. I transmit herewith a copy of the report, together with the result of the investigation of Professor J. B. Weems, whose services were engaged by the committee, and also a proposed bill prepared by the Board.

It is obvious that our failure to enact restrictive legislation upon this subject has made Iowa the favorite field for those who deceive and injure the people through impure and adulterated foods. The disclosures are not only startling, but shocking. It is the manifest duty of the General Assembly to investigate this subject at an early date, and adopt such a measure as will protect the people from the impositions and frauds that are now practiced upon them. It is wholly impossible for the consumers of food to protect themselves, and therefore the State should do for them what no one else can.

LEGISLATION RESPECTING THE SALE OF PETROLEUM PRODUCTS.

Not long ago, I received from the Governor of the State of Kansas a communication asking me to lay before the General Assembly of this state certain legislation which has been adopted in Kansas, with the suggestion that the independent refineries of that state desired to do business in the State of Iowa, but could not safely embark in the venture unless some such protection were given them here as is afforded by the recent statutes of that state.

I have the honor to transmit to you a copy of the letter of the Governor, together with copies of the statutes of Kansas upon the subject. The requests as to additional legislation in our state covers two points. First a legislative maximum rate for oil.

I am opposed to the change in our policy that such legislation would involve. Long ago we gave to our Board of Railroad Commissioners the authority to establish and publish a schedule of maximum rates, and I can see no sufficient reason for withdrawing from the jurisdiction of the Com missioners this particular commodity. If the rates for oil are too high, they should be reduced, but the Commissioners should reduce them, and not the General Assembly. These rates as now established are uniform, and do not permit discrimination of any kind, and whether they be too high or too low, they are paid by all shippers alike.

The second point relates to a prohibition against the practice, employed it is believed by at least one company, of lowering the price of the commodity, in a particular locality sufficiently to destroy a competitor who has established a rival business in that locality. With this suggestion I am heartily in accord. I believe that competition is vital to the welfare of commerce and industry, and it is the duty of the government to use all the power it can command to preserve its full force and vigor. We all know that it is the custom of some concerns that have attained great strength, to crush competition by selling their commodities in the neighborhood in which competition is established at an absurdly low price, knowing that the competitor cannot withstand the unfair attack. Whatever you can do that will prevent a monoply from so fortifying itself against competition, without interfering with the *bona fide* competition that keeps prices at a fair level, will be a righteous service to the people of the state.

THE ENFORCEMENT OF THE LIQUOR LAW.

Four years of official observation have made a deep impression upon my mind respecting the inadequate enforcement of the law relating to the sale of intoxicating liquors. Whatever may be our opinions with regard to the wisdom of a particular law, we all agree that so long as it remains the law it should be obeyed, and that those who violate it should be punished. There is no greater evil in this country than the laxity with which laws are administered. We very much need the infusion of a new spirit into the government that will not tolerate an intentional failure to obey and enforce the law. I believe that our statute for the sale of intoxicating liquors needs strengthening in respect to its enforcement. There are varying opinions as to the plan that should be adopted, and I submit the matter as one worthy of your consideration, but without recommendation as to the character of the legislation that should be enacted.

ROSTER OF IOWA SOLDIERS AND SAILORS.

Two years ago, I brought this subject to your attention, with the earnest recommendation that provision be made for the compilation of a complete roster of the soldiers and sailors of the War of the Rebellion and of the Spanish War. I think you were, with unanimity, in favor of the measure, but it failed by a mischance, without the fault of anyone. I renew my recommendation with increased zeal. The bill that will be proposed by the veterans of the war contemplates an expenditure greatly less than the

bill of two years ago, but I think the plan now suggested will be quite as effective as the former one.

FAMILY DESERTION.

The experience of those who are engaged in humanitarian and charitable work shows that in a very large proportion of the instances in which women seek aid for themselves and their children, the husbands and fathers have deserted the home, and thus repudiated the obligation which the law so wisely imposes upon them. The man who, without good cause, deserts his children and the mother who bore them, is a criminal, and ought to be punished as a rank offender against the fundamental compact of society. It is strange, but nevertheless true, that Iowa, so progressive in all moral legislation, has not denounced this act as a crime. Many of our sister states have already provided for the proper punishment of such on offense, and I strongly recommend the adoption of a rigid criminal statute on this subject at the present session.

CHILD LABOR.

Among those who have given the most careful thought to social problems, and among those who have given and are giving the best part of their lives to help their fellow men, there is no difference of opinion respecting the necessity of a law which shall regulate the employment of children. I think every person well disposed toward the welfare of humanity, and especially in such a government as ours, must concede:

First, that children should not be permitted to work to the extent of inter fering with a common school education.

Second, that they should not be permitted to work under such circumstances as will be likely to impair the strength of their bodies or pervert their morals.

It is true that with the present development of industry in the state there are fewer children who are doing what they ought not to do in the way of work than in many of our sister states; but if we begin right we will have have less to reform in the days to come. I hope that you will find it consistent with good policy to enact a statute upon this subject.

Touching the same general topic, I suggest that the juvenile court law passed by the last General Assembly has been found somewhat defective. That it is based upon a sound principle is not to be doubted. Its deficiencies will be pointed out to you during the session by those who have only the good of our boys and girls at heart, and I gladly recommend that the law be matured according to their suggestions.

GOOD ROADS.

I have received and I transmit to you the report of the Highway Commission appointed by the Thirtieth General Assembly. The Commission has done excellent work, and it is to be hoped that you will find it possible to continue its labors so auspiciously begun.

CORPORATIONS.

I do not intend to dwell upon this subject, but I cannot allow the occasion to pass without recalling to your attention my expressions and recommendations in the message I had the honor to deliver to you two years ago. Further observation has but intensified my convictions. Many things have

occurred in the meanwhile to emphasize the defects in our statutes, and I again recommend the legislation then outlined.

AID FOR THE INVESTIGATION OF MUNICIPAL QUESTIONS.

It has been the policy of the state in the past to extend some aid to certain associations which deal with agriculture. I believe the investment has been a good one, and has secured for the people of the state advantages which otherwise they would have lost. The growth of population is now largely in the cities and towns, and there are constantly arising problems of the most important character which require intimate association on the part of those who are administering municipal affairs to solve. I believe, therefore, that a small appropriation in aid of the work of the League of Iowa Municipalities would be a wise expenditure of the public funds. There is no one respect in which we are so hopeless a muddle as the management of our cities and towns, and any reasonable thing that we can do to aid associated municipal officers in working out needful reforms will be very helpful to the cause of good government.

IN MEMORIAM.

Since you last assembled, death has claimed another of the men who faithfully served the State as Chief Executive. Buren R. Sherman died at his home in Vinton on the 11th day of November, 1904.

He was one of the plain, sturdy men of the west, and represented in high degree the virtues of our citizenship. He was loyal to his country and his State, steadfast to his friends and strong in the spirit of the sound and enduring principles of life. His memory will long be cherished by the people of the State.

Gentlemen, you meet under the most fortunate and favorable conditions. You represent a God-fearing, intelligent, prosperous constituency. You come together renewing old acquaintance rather than making new friendships. The confidence growing out of long association will create an efficiency without parallel in the legislative department of the State. Your experience will enable you to move easily along accustomed paths. You are to be congratulated on the opportunity to do your work at a time when the standards of integrity in both official and private life are high, and when fidelity is more imperatively demanded than ever before. In conclusion, I again submit to you the reports of all the officers and departments of the State government, especially recommending that your Committee on Retrenchment and Reform shall review them carefully; scan vigilantly and critically all expenditures, to the end that it may be known whether the servants of the people have faithfully discharged the trust imposed upon them.

Respectfully submitted,

Albert B. Cummins

The Senate returned from joint session.

The President announced as the Committee on extra help:

Senators Smith of Mitchell, Hogue and Maytag.

The President announced the list of the Standing Committees of the Senate as follows:

WAYS AND MEANS—24.

Senators Hayward, Crossley, Lewis, Hartshorn, Hogue, Bruce, Whipple, Molsberry, Young of Washington, Winne, Ericson, Hughes, Gillilland, Gale, Lambert, Smith of Des Moines.

JUDICIARY—22.

Senators Dowell, Crawford, Whipple, Courtright, Molsberry, Bruce, Crossley, Dunham, Jamison, Warren, Gillilland, Saunders, Stookey, Newberry, Jones, Jackson.

APPROPRIATIONS—24.

Senators Garst, Smith of Mitchell, Hopkins, Harper, Maytag, Spaulding, Brooks, Saunders, Turner, Dunham, Young of Calhoun, Eckles, Stookey, Kinne, Lyons, Wilson of Clinton.

AGRICULTURE—23.

Senators Brooks, Crossley, Hopkins, Hogue, Spaulding, Courtright, Bruce, Ericson, Eckles, Elerick, Newberry, Hughes, Kinne, Kimmel, Smith of Des Moines, Young of Lee.

RAILROADS—23.

Senators Smith of Mitchell, Hopkins, Hartshorn, Courtright, Harper, Winne, Molsberry, Jamison, Saunders, Hasselquist, Elerick, Gale, Jackson, Bleakly, Smith of Des Moines, Stirton.

CITY AND TOWNS—23

Senators Courtright, Crawford, Harper, Whipple, Hayward, Dowell, Young of Washington, Gillilland, Stuckslager, Jackson, Eckles, Turner, Jones, Wilson of Clinton, Smith of Des Moines.

SUPPRESSION OF INTEMPERANCE—18.

Senators Dunham, Smith of Mitchell, Young of Washington, Brooks, Winne, Whipple, Stookey, Warren, Bruce, Gale, Bleakly Lyons, Lambert.

INSURANCE—28.

Senators Whipple, Smith of Mitchell, Courtright, Maytag, Bruce, Ericson, Warren, Stuckslager, Young of Calhoun, Turner, Lyons, Wade.

SCHOOLS—28.

Senators Crossley, Molsberry, Dunham, Hopkins, Whipple, Jamison, Wilson of Fayette, Kinne, Warren, Wilson of Clinton, Taylor.

CONGRESSIONAL AND JUDICIAL DISTRICTS—20.

Senators Molsberry, Harper, Dowell, Gillilland, Hasselquist, Wilson of Fayette, Stuckslager, Young of Calhoun, Jackson, Wade, Stirton.

SENATORIAL AND REPRESENTATIVE DISTRICTS.—17.

Senators Bruce, Winne, Garst, Lewis, Smith of Mitchell Young of Washington, Hughes, Hasselquist, Kimmel, Lyons, Young of Lee.

ELECTIONS—29.

Senators Lewis, Molsberry, Courtright, Crossley, Bruce, Dunham, Jackson, Gillilland, Kinne, Wilson of Clinton, Stirton

CONSTITUTIONAL AMENDMENT AND SUFFRAGE—22.

Senators Jamison, Courtright, Molsberry, Crossley, Newberry Hartshorn, Stuckslager, Saunders, Jackson, Stirton, Lambert.

PUBLIC HEALTH—17.

Senators Young of Calhoun, Spaulding, Hayward, Dowell, Crawford, Young of Washington, Ericson, Saunders, Wilson of Fayette, Taylor, Stirton.

PUBLIC LIBRARIES—20.

Senators Ericson, Hopkins, Crossley, Courtright, Garst, Maytag, Gillilland, Young of Calhoun, Gale, Lambert, Smith of Des Moines.

TELEGRAPH AND TELEPHONES—28.

Senators Hopkins, Hayward, Winne, Whipple, Maytag, Brooks, Stookey, Kimmel, Kinne, Lambert, Wade.

CORPORATIONS—18

Senators Hogue, Whipple, Hasselquist, Ericson, Turner, Gillilland, Bleakly, Stuckslager, Warren, Stirton, Wade.

BANKS—21.

Senators Stuckslager, Young of Washington, Ericson, Hopkins, Brooks, Lewis, Bruce, Gale, Stirton.

MILITARY—18.

Senators Harper, Crawford, Turner, Young of Washington Hughes, Elerick, Eckles, Stookey, Wilson of Clinton.

LABOR—21.

Senators Winne, Maytag, Smith of Mitchell, Harper, Hughes, Wilson of Fayette, Elerick, Lyons, Lambert.

EDUCATIONAL INSTITUTIONS—21.

Senators Young of Washington, Hogue, Brooks, Hayward, Wilson of Fayette, Hasselquist, Jamison, Stookey, Taylor.

MINES AND MINING—17.

Senators Warren, Ericson, Hasselquist, Maytag. Elerick Jamison, Young of Calhoun, Young of Lee, Wade.

HIGHWAYS—18

Senators Hasselquist, Spaulding, Hartshorn, Lewis Winne, Kinne, Dunham, Young of Lee, Stirton.

PHARMACY—17.

Senators Wilson of Fayette, Hopkins, Hayward, Garst, Saunders, Molsberry, Newberry, Lyons, Lambert.

PRINTING—29.

Senators Hartshorn, Courtright, Elerick, Bleakly, Eckles, Newberry, Stockey, Young of Calhoun, Lambert.

CHARITABLE INSTITUTIONS.

Senators Spaulding, Hogue, Harper, Dunham, Jackson, Kinne, Kimmel, Lyons, Young of Lee.

BUILDING AND LOANS—19.

Senators Jones, Crossley, Harper, Wilson of Fayette, Hughes, Garst, Bleakly, Taylor, Wade.

RULES—24.

Senators Maytag, Dowell, Hogue, Hayward, Dunham, Warren, Gale, Wilson of Clinton, Lambert.

COMPENSATION OF PUBLIC OFFICERS—29.

Senators Jackson, Hartshorn, Lewis, Jamison, Bleakly, Smith of Des Moines, Taylor.

PENITENTIARIES AND PARDONS—19.

Senators Saunders, Brooks, Crawford, Smith of Mitchell, Newberry, Stookey, Young of Lee.

FEDERAL RELATIONS—20.

Senators Crawford, Hogue, Hartshorn, Lewis, Kimmel, Young of Lee, Smith of Des Moines.

CLAIMS—19.

Senators Eckles, Garst, Spaulding, Crawford, Lewis, Kimmel, Young of Lee.

COMMERCE—16.

Senators Hughes, Harper, Dowell, Hogue, Elerick, Turner, Taylor.

MANUFACTURES—16.

Senators Gale, Maytag, Stuckslager, Young of Lee, Taylor.

PUBLIC BUILDINGS—26.

Senators Stookey, Brooks, Garst, Jones, Wade.

HORTICULTURE AND FORESTRY—16.

Senators Elerick, Spaulding, Jones, Smith of Des Moines, Lyons.

FISH AND GAME—20.

Senators Kimmel, Winne, Jones, Wilson of Clinton, Lambert.

PUBLIC LANDS—26.

Senators Bleakly, Hogue, Wilson of Clinton.

ENGROSSED BILLS—26.

Senators Newberry, Jones, Hartshorn.

ENROLLED BILLS—22.

Senators Turner, Winnie, Taylor.

Senator Garst moved that the committee room assignments and the hours for committee meetings be the same as during the 30th General Assembly.

Carried.

The President announced that the committee on Assignment of Committee Rooms and Hours of Meeting would be the same as the 30th General Assembly, viz: Garst, Dowell, Hopkins, Hayward and Smith of Mitchell.

Senator Dowell offered the following Concurrent Resolution and moved its adoption

Resolved, By the Senate the House concurring that a Joint Committee be appointed consisting of five members of the Senate to be appointed by the President and five members of the House to be appointed by the Speaker to arrange for the attendance of the 31st General Assembly at a reception to be held by the Governor at the State House.

Adopted.

The President announced as such Committee on the part of the Senate:

Senators—Dowell, Young of Washington, Gillilland, Kinne, Smith of Des Moines.

The President appointed as Messengers for the Senate the following:

Ewing Scott, Cass; Harry Frase, Polk; Karl N. Eckers, Muscatine; William Welch, Polk; James Dovy, Jasper; Carroll Bennett, Ringgold; Cleveland Foster, Polk; H. Nixon Streit, Polk.

INTRODUCTION OF BILLS.

By Senator Gillilland senate file No. 1, a bill for an act to amend Section 193 of the code and to provide for the cheif Justiceship of the Supreme Court.

Read first and second time

Senator Gillilland moved that the rule be suspended and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

Senator Gillilland moved that the bill be placed upon its passage.

Senator Courtright moved that the bill be referred to the Judiciary Committee.

Carried.

Senator Dunham offered the following resolution and moved its adoption.

Resolved, that two Extra Committee Clerks be allowed one to each of the two Republican Senators who have not received the chairmanship of a committee.

Adopted.

The following committee clerks appeared before the bar of the Senate and were sworn in according to law.

Charles G. Chapman, Labor; James N. Hall, Educational Institutions; Mayne Spaulding, Charitable Institutions; Elizabeth Altmannsperger, Pardons, Belle I. Riddle, Judiciary; Edna M. Voorhees, Senatorial Districts; Malcolm MacKinnon, Ways and Means; Daisy Boyce, Public Lands; Mamie Rollins, Horticulture and Forestry; Ruth Way Hickman, Constitutional Amendments; Owen Stookey, Insurance; Eleanor M. Hutchinson, Comp. of Public Officers; Verna Frazier, Military; Lillian Grubb, Congressional and Judicial Districts; Harriet E. King, Cities and Towns; George Gallarno, Senator Gillilland; George A. Schoenman, Enrolled Bills; Lawrence Hogue, Corporations; J. C. Franklin, Senator Kinne; N. A. Price, Appropriations; J. H. Wilson, Private Secretary Lt. Governor; C. L. Dahlberg, Library; F. E. Foss, Commercc; Rose Wood, Building and Loan; Lucy G. Carberry, Federal Relation; Margret McDevett, Pharmacy; Ethel Cruikshank, Public Buildings; Fannie Kimmel, Fish and Game; Edna Young, Public Health; Cherry T. Hyde, Schools; E. H. Hasselquist, Highways; G. Loyd Jones, Suppression of Intemperance; Anna Belle Rood, Banks and Banking; J. E. Meyer, Engrossed Bills; Elsie Redman, Rules; Mary Brooks, Agriculture; Edith Warren, Mines and Mining; Evanelle Lewis, Elections.

The following messengers appeared before the bar of the Senate and were sworn according to law:

H. Nixon Streit, Karl N. Eckers, Cleveland Foster, Ewing Scott, William Welch, Carroll Bennett, Harry Frase, James Dovy.

Senator Hopkins moved that the Senate adjourn until to-morrow at 11.00 o'clock, A. M.

Carried.

Senate adjourned

JOURNAL OF THE SENATE.

SENATE CHAMBER.
DES MOINES, IOWA, TUESDAY, JANUARY, 9th 1906.

Senate met in Regular session at 11 o'clock A. M. President Herriott, presiding.

Prayer was offered by the Rev. Murdock McLeod of Central Presbyterian Church, Des Moines, Iowa.

The following Senators appeared before the bar of the Senate, and were duly sworn according to law:

Senators, Taylor, Lyons.

On request of Senator Jones leave of absence was granted Senator Brooks until January 11th, 1906.

INTRODUCTION OF BILLS.

By Senator Crossley, Senate file No. 2, a bill for an act providing for the nomination by political parties or organizations of candidates for various offices, and the election of delegates to conventions of said political parties or organizations by primary election, and for the holding of conventions by such political parties or organizations.

Read first and second time and referred to committee on Elections.

By Senator Stookey, Senate file No. 3, a bill for an act amending section 2,737 of the code relating to certificates issued by

county superintendents, making said certificates good upon certain conditions, in any county in the State of Iowa.

Read first and second time and referred to committee on Elections.

By Senator Molsberry, Senate file No. 4, a bill for an act to fix the terms of officers, and to revise the laws to comply with the provisions of the constitutional amendment relative to the biennial elections.

Read first and second time and referred to committee on Judiciary.

By Senator Newberry Senate file No. 5, a bill for an act to amend the law as it appears in section fifteen hundred and thirty three (1533) of the supplement to the code in relation to road taxes and work on highways.

Read first and second time and referred to committee on Highways.

By Senator Newberry Senate file No. 6, a bill for an act to encourage the use of wagons with wide tires on public highways and providing for a rebate of a portion of their road tax to persons using wagons with tires not less than three inches in width when hauling heavy loads on the public highways of this state.

Read first and second time and referred to committee on Highways.

By Senator Warren Senate file No. 7, a bill for an act relating to the Jurisdiction of Justices of the Peace and their courts in the State of Iowa.

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

Senator Courtright offered the following resolution and moved its adoption.

RESOLUTION.

WHEREAS, the passage of the bi-ennial election law has made it necessary

that the tenure of office of many officers of the state, county, and township be readjusted; and

WHEREAS, it will require the amendment of many sections of the statute and in many instances the repeal and enactment of substitutes; and

WHEREAS, the adjustment of all of these various statutes to amend existing conditions will require careful consideration and extensive research and investigation; and

WHEREAS, the work thus required is of such a character and nature that the interests of the state requires that more time and attention be devoted to the subject than any of the regular standing committees can devote thereto without inconvenience and prejudice to their other work,

THEREFORE, BE IT RESOLVED, that the president of the Senate be, and hereby is authorized and directed to appoint a special committee of not to exceed five members, and when so appointed that all bills, resolutions, and matters referring to the adjustment of existing statutes to meet the contingencies brought about by the adoption of the bi-ennial election law be referred to the special committee so authorized and appointed as above provided.

Adopted.

Senator Molsberry offered the following concurrent resolution and asked that it be read and laid over under the rules:

CONCURRENT RESOLUTION.

Concurrent resolution relative to the appointment of a committee for the examination of Life Insurance companies organized and doing business or authorized to do business under the laws of the State of Iowa.

Whereas, It appears from investigations of Life Insurance companies recently made in other states that the interests of the insured and their beneficiaries are not properly safeguarded by law; and

Whereas, The investigation of Life Insurance companies in other states has demonstrated the necessity for such investigation in order to acquaint the policy holders, the insured, and their beneficiaries with their relations to the companies and the use that is being made of the money invested by said policy holders in said companies; and

Whereas, It appears that the laws of this state governing Life Insurance companies are conflicting and subject to various constructions, and by reason of the construction placed upon said laws by the Supreme Court it has been necessary to frequently amend the same; and

Whereas, The present statute with reference to the taxation of Life Insurance companies is wholly inadequate and fails to require said companies to pay their just proportion of the public taxes; and

Whereas, The inquisitorial powers of the Auditor of State and his examiners and actuaries are limited by the statute to the examination of the officers and agents of said companies and the companies and their books with special reference to the business transacted, and with a view, chiefly,

to determine whether or not they are solvent, and it is expedient that as a basis for legislation the operation of insurance companies, organized and doing business or authorized to do business under the laws of this state, should be investigated as fully and promptly as may be; therefore be it

Resolved by the Senate, the House concurring:

That a joint committee be appointed consisting of three members of the Senate and four members of the House, which said committee shall, as soon as possible, investigate and examine into the business of insurance companies doing business in the state of Iowa with reference to the methods employed by said insurance companies in transacting their business, their relation to other corporations, the salaries paid their officers and employees, their securities and their investments, the relation of the officers and members of said companies to said investments, their relation to or with other corporations transacting business with said insurance companies, the amount of taxes paid by said insurance companies, their liability to their policy holders, the cost of insurance, the expenses of said companies, the relation of said insurance companies to subsidiary corporations, to examine into all expenditures of said companies including their expenditures incurred in the employment of legislative and municipal lobbies, in making payments of contributions to candidates, committees or others to be used for political or campaign purposes, and any other phase of the insurance business deemed by the committee to be a proper subject of investigation, and the mention of any particular line of inquiry herein shall not limit in any measure the field of investigation which said committee is empowered to enter, and

That said committee be authorized to draft and report to the legislature at its next session such a revision of the laws regulating and relating to the life insurance business and the taxation of insurance companies in this State, as said committee may deem proper; and be it further

Resolved:

That said committee be and it is hereby authorized and empowered to require and enforce the attendance of witnesses, the production of books and papers, to adminster oaths and to employ counsel, stenographers, clerks and such other employees as may be necessary for the purpose of such investigation, and such committee may exercise all powers provided by law or this resolution at any time prior to December 1, 1906, whether during the session of the legislature or otherwise

The following reports were laid before the Senate by the President which were ordered placed on file.

Report of the Board of Control of State Institutions on the extent of Tuberculosis in Iowa and the best means of prevention and treatment of the disease.

Also:

Special report of the Secretary of the Board of Regents of the

State University of Iowa to the 31st. General Assembly.

REPORT OF COMMITTEE.

Senator Whipple, from the special committee on State Education Institutions appointed by the 30th General Assembly, submitted their report.

Senator Smith of Mitchell offered the following resolution and moved its adoption.

Resolved, By the Senate the House Concurring that the report of the committee on State Educational institutions be omitted in the Journal and that in lieu of such publication 4000 copies of same be printed in pamphlet form.

Adopted.

Senator Harper was called to the chair at 11:30 A. M.

The president resumed the chair at 11:40 A. M.

The Journal of yesterday was taken up, corrected and approved.

CONCURRENT RESOLUTION.

Senator Young of Calhoun, offered the following resolution and moved its adoption.

Resolved, by the Senate the House Concurring that fifteen thousand copies of the Governor's Message be printed in pamphlet form.

Laid over under the rules.

Senator Courtright presented the special financial report of the Iowa State Normal School.

Laid over.

Senator Garst moved that when the Senate adjourns it be until to-morrow at 11 o'clock A. M.

Carried.

The time having arrived the President declared the Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER
DES MOINES, WEDNESDAY, JANUARY 10th, 1906.

Senate met in regular session at 11, o'clock A. M. President Herriott presiding.

Prayer was offered by the Rev. Samuel McFadden of Des Moines, Iowa.

On request of Senator Lambert leave of absence was granted Senator Winne until Jan. 12th, 1906.

Senator Young of Washington appeared before the bar of the Senate and was duly sworn according to law.

The President announced as members of the special committee to adjust existing statutes to meet the contingencies caused by the bi-ennial election law. Senators Courtright, Gillilland, Molsberry, Jamison, Dunham.

PETITIONS AND MEMORIALS.

Senator Smith of Mitchell presented petition of Mitchell county Retail Merchants' Association in support of a pure food law, also in favor of certain changes in the state exemption laws.

Referred to committee on Public Health.

Senator Hughes presented petition adopted by the Board of Supervisors of Johnson county in favor of a law making the term of County Officials four years instead of two.

Referred to special committee to adjust the code to the Bi-ennial Election law.

Senator Garst presented petition of 88 residents of Glidden, Iowa, in support of a law restricting the sale of dynamite and explosives.

Referred to committee on Insurance.

Senator Crossley presented petition of 30 residents of Bridgewater in support of a state marshal law.

Referred to committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Newberry, Senate file No. 8, a bill for an act to prevent the adulteration, misbranding and imitation of foods, to change the name of the office of "State Dairy Commissioner" to that of "State Food and Dairy Commissioner," and to define his duties.

Read first and second time and referred to committee on Agriculture.

Senator Newberry asked unanimous consent that five hundred copies of Senate file No. 8 be printed.

Granted and so ordered.

By Senator Courtright, Senate file No. 9, a bill for an act to make appropriations for the support and development of the State Normal School.

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

By Senator Courtright, Senate file No. 10, a bill for an act to provide for the erection, repair, improvement and equipment of buildings for the State Normal School.

Read first and second time and referred to committee on Ways and Means.

By Senator Turner, Senate file No. 11, a bill for an act to provide for the payment of an annual occupation tax for the business of soliciting or taking orders for the sale of intoxicating liquors except from those who are legally authorized by law to make,

manufacture, handle, or sell the same, and providing penalty for the violation thereof.

Read first and second time and referred to committee on Suppression of Intemperance.

By Senator Hughes, Senate file No. 12, a bill for an act prohibiting public officers, political committees or delegates to political conventions from asking, accepting or using a free pass, frank or privilege withheld from any other person for the traveling, accommodation or transportation of any person or property, etc.

Read first and second time and referred to committee on Railroads.

By Senator Warren, Senate file No. 13, a bill for an act to create a legislative commission to examine the subject of insurance and the practice of the insurance companies doing business in this state.

Read first and second time and referred to committee on Insurance.

By Senator Gillilland, Senate file No. 14, a bill for an act to amend section 1657 of the supplement to the code to provide for the election of directors of the State Board of Agriculture.

Read first and second time and referred to committee on Judiciary.

By Senator Gillilland, Senate file No. 15, a bill for an act to amend section 4,936 of the code relating to incest.

Read first and second time and referred to committee on Judiciary.

By Senator Spaulding, Senate file No. 16, a bill for an act to amend section 441 of the code in regard to official newspapers.

Read first and second time and referred to committee on Printing.

By Senator Ericson, Senate file No. 17, a bill for an act relating

to revenue, and providing for a license fee upon corporations, and making an appropriation for the purpose of carrying out the objects of this act.

Read first and second time and referred to committee on Corporations.

By Senator Gillilland Senate file No. 18, a bill for an act making an appropriation to provide a water supply for the Institution for Feeble Minded Children and the purchase of the necessary land and equipments therefor.

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

On motion of Senator Young, of Calhoun, concurrent resolution relative to the printing of the Governor's message, was taken up and consid ered.

Senator Turner moved that the concurrent resolution be amended by changing the number from fifteen thousand to twelve thousand.

Senator Hughes moved to amend the amendment by making the number five thousand.

Senator Lambert moved as a substitute for the two preceding motions that a committee be appointed to ascertain the number of printed copies of the Governor's message required.

Carried.

Senator Maytag offered the following Senate concurrent resolution and moved its adoption.

SENATE CONCURRENT RESOLUTION.

Be it resolved by the Senate, the House concurring, That the President o the Senate and the Speaker of the House appoint committees of five members, two on the part of the Senate and three on the part of the House, to visit the several State institutions for the purpose of securing all possible information to assist the General Assembly in its work and that the several visiting committees shall submit a written report of their findings to both the Senate and the House not later than January Twenty-fourth, 1906, For the purpose of carrying this resolution into effect,

Be it further resolved, That when adjournment is taken Friday noon, January 12, 1906, it be to reconvene Tuesday, January 16, at 2 o'clock p. m.

Adopted.

Senator Gillilland from the committee of Arrangements for the legislative reception reported as follows:

REPORT OF COMMITTEE ON RECEPTION.

The Thirty-first General Assembly of the State of Iowa extend a cordia invitation to the people of the State to attend a public reception to be tendered to

GOVERNOR ALBERT B. CUMMINS

by the members of the Assembly, at the State House, on Thursday evening, January eleventh, Nineteen Hundred and Six, from Eight until Eleven o'clock. An opportunity will also be given the public to inspect the Blashfield painting, allegorical of the progress of the State, the new arrangement and disposition of the Battle Flags and also the general improvements at the State Capitol, made under the direction of the Capitol Commission.

C. C. DOWELL,
J. A. YOUNG,
SHIRLEY GILLILLAND,
GEO. KINNE,
FRED N. SMITH,
on part of Senate.
H. E. TEACHOUT,
CHARLES F. CROSE,
F. N. BUCKINGHAM,
JASON H. LOWREY,
O. P. WYLAND,
on part of the House,
Reception Committee.

Senator Crossley offered the following resolution and moved its adoption:

Resolved, That 1,100 extra copies of Senate file No. 2, the primary election bill, be printed for the use of the members of the Senate and House of Representatives.

Adopted.

The following report was laid before the Senate by the president, which was ordered placed on file;

Report of Secretary of the Iowa State College of Agriculture and Mechanic Arts.

Senator Garst moved that each number of the minority party in the Senate be allowed a committee clerk.

Carried.

The president announced as the committee on Mileage:

Senators Young of Calhoun, Hasselquist, and Young of Lee.

Senator Molsberry asked unanimous consent that Senate file No. 4 be withdrawn from the Judiciary committee.

Granted.

Senator Dowell reported Senate file No. 4 from the Judiciary committee as requested.

Upon motion of Senator Molsberry Senate file No. 4 was referred to the special committee appointed to adjust existing statutes to meet the contingencies caused by the bi-ennial election law.

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 House was asked:

Concurrent resolution relative to publishing the report of legislative committees appointed to investigate state educational institutions.

C. R. BENEDICT,
Chief Clerk.

Also:

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 House was asked:

Concurrent resolution relative to the appointment of a committee of five from the Senate to act with a like committee appointed from the House to make arrangements for the attendance of the 31st General Assembly at a reception to be given at the State House.

Committee on part of the House: Teachout of Polk, Crose of Page, Lowrey of Calhoun, Buckingham of Buena Vista, Wyland of Shelby.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Relative to committees from both Houses and Senate to visit the several state institutions and submit report of said visits not later than January 24, 1906.

Also, that Senate and House adjourn Friday noon to reconvene Tuesday, January 16th, at 2 o'clock p. m.

C. R. BENEDICT,
Chief Clerk.

Senator Brooks moved that the time of adjournment be extended until the Journal be corrected.

Carried.

The Journal of yesterday was taken up for correction.

HOUSE MESSAGES CONSIDERED.

Senate concurrent resolution relative to the appointment of a committee of five from the Senate to act with a like committee appointed from the House to make arrangements for the attendance of the Thirty-first General Assembly at a reception to be given at the State House.

Passed on file.

Senate concurrent resolution relative to committees from both House and Senate to visit the several State Institutions and submit report of said visits not later than January 24th, 1906, also that the Senate and House adjourn Friday noon to re-convene Tuesday, Jan. 16th, at 2 o'clock p. m.

Passed on file.

Senate Concurrent resolution relative to the publishing the report of legislative committee appointed to investigate State Educational Institutions.

Passed on file.

The Journal of yesterday was declared approved.

The following committee clerks appeared before the bar of the Senate and were sworn in according to law:

Anna Bell Rood, Banks and Banking; G. Lloyd Jones, Suppression of Intemperance; Katherine Kimbell, Senator Lambert, Elizabeth L. Farrell, Senator Wilson of Clinton, Margaret Van Meter, Senator Wade, Cynthia Taylor, Senator Taylor, Floy McCready, Senator Lyon, Geo. N. Griscel, Telephones and Telegraphs.

The President declared the Senate adjourned until 10 o'clock A. M. tomorrow.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday January 11, 1906.

Senate met in regular session at 10 o'clock, A. M., President Herriott presiding.

Prayer was offered by the Rev. Miss May Dille Patten of Muscatine, Iowa.

On request of Senator Molsberry leave of absence was granted Senator Jackson until tomorrow.

On request of Senator Taylor leave of absence was granted Senator Young of Lee until tomorrow.

On request of Senator Harper leave of absence was granted Senator Crawford until next Tuesday afternoon.

INTRODUCTION OF BILLS.

By Senator Turner, Senate file No. 19, a bill for an act to amend Chapter Fifty-three, act of the Twenty-ninth General Assembly, relative to the duties of township trustees; the election, duties and compensation of road superintendents; the division and consolidation of road districts, and the collection of property road tax.

Read first and second time and referred to committee on Roads and Highways.

By Senator Hayward, Senate file No. 20, a bill for an act appropriating money for the use of the Iowa Soldier's Orphan's Home.

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

By Senator Hayward, Senate file No. 21, a bill for an act to repeal section, 4969 of the code and enact a substitute therefore, providing for the punishment of cruelty to animals.

Read first and second time and referred to committee on Judiciary.

By Senator Hayward, Senate file No. 22, a bill for an act prohibiting the employment of children in immoral exhibitions and in immoral places.

Read first and second time and referred to committee on Judiciary.

By Senator Dowell, Senate file No. 23, a bill for an act to legalize the action of the Independent School Districts of West Des Moines, Polk County, Iowa, in making bonds at an election held on the 13th day of March, 1905, and legalizing the bonds, issued by said school district under said Election.

Read first and second time and referred to committee on Judiciary.

By Senator Warren, Senate file No 24, a bill for an act to legalize the incorporation of the town of Harvey, Marion county Iowa, the publication of notices thereof and the ordinances passed.

Read first and second time and referred to committee on Judiciary.

REPORT OF COMMITTEE.

Senator Young of Calhoun, from the special committee on Mileage, submitted the following report:

MR. PRESIDENT—Your committee on Mileage by their reports find the members of the Senate of the Thirty-first General Assembly entitled to mileage as follows:

NAMES.	MILES	AM'T	NAMES.	MILES	AM'T
Lieut. Gov. Herriott..	82	$ 4.10	Senator Lyons.....	538	26.90
Senator Bleakly.....	298	14.90	Senator Maytag.....	70	3.50
Senator Brooks.....	170	8 50	Senator Molsberry ...	256	12.80
Senator Bruce.....	164	8.20	Senator Newberry....	438	21.90
Senator Courtright...	210	10.50	Senator Saunders	284	14.20
Senator Crawford.....	430	21.50	Senator Smith of Des		
Senator Crossley.....	84	4.20	Moines.....	336	16.80
Senator Dowell.....	.....	.....	Senator Smith of		
Senator Dunham.....	304	15.20	Mitchell.....	330	16.50
Senator Eckles.....	150	7.50	Senator Spaulding...	306	15.30
Senator Elerick.....	240	12.00	Senator Stirton.....	358	17.90
Senator Ericson.....	84	4.20	Senator Stookey.....	172	8.60
Senator Gale.....	292	14.60	Senator Stuckslager..	310	15 50
Senator Garst.....	142	7.10	Senator Taylor.....	254	12.70
Senator Gillilland.....	326	16.30	Senator Turner.....	222	11.10
Senator Harper.....	180	9.00	Senator Wade.....	294	19.70
Senator Hartshorn....	208	10.40	Senator Warren.....	86	4.30
Senator Hasselquist...	224	11.20	Senator Whipple.....	340	17.00
Senator Hayward.....	350	17.50	Senator Wilson of		
Senator Hogue.....	420	21.00	Fayette.....	266	13.30
Senator Hopkins.....	120	6.00	Senator Wilson of		
Senator Hughes.....	212	10.60	Clinton.....	470	23.50
Senator Jackson.....	460	23.00	Senator Winne.....	212	10.60
Senator Jamison.....	120	6.00	Senator Young of Lee	418	20.90
Senator Jones	128	6.40	Senator Young of		
Senator Kimmel.....	400	20.00	Calhoun.....	180	9.00
Senator Kinne.....	250	12.50	Senator Young of		
Senator Lambert.....	472	23.60	Washington	234	11.70
Senator Lewis.....	336	16.80			

Respectfully submitted,
YOUNG OF CALHOUN,
HASSELQUIST,
YOUNG OF LEE.

Senator Young of Calhoun moved that the report of the committee be adopted.

On the question shall the report be adopted.

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jones, Kimmel, Kinne, Lambert, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Calhoun, Young of Washington—42.

The nays were:

None.

Absent or not voting:

Crawford, Gale, Hogue, Jackson, Jamison, Lyons, Winne, Young of Lee--8.

So the report having received a constitutional majority was declared adopted.

The President announced that he had appointed as visiting committee to state institutions on the part of the Senate the following:

Glenwood, Lyons and Hogue.
Fort Madison, Garst and Stirton.
Anamosa, Maytag and Smith of Mitchell.
Ames, Lewis and Blakely.
Iowa City, Hopkins and Jamison.
Cedar Falls, Harper and Molsberry.
Vinton, Turner and Lambert.
Marshalltown, Elerick and Hughes.
Knoxville, Kinne and Newberry.
Eldora, Eckles and Wilson of Fayette.
Mt. Pleasant, Stookey and Warren.
Council Bluffs, Dunham and Stuckslager.
Davenport, Saunders and Taylor.
Independence, Wilson of Clinton and Bruce.
Clarinda, Brooks and Gillilland,
Cherokee, Young of Calhoun and Winne
Mitchelville, Spaulding and Hayward.

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:

HOUSE CONCURRENT RESOLUTION.

Resolved, by the House the Senate concurring, That the Secretary of State be authorized to publish fifteen thousand copies of the Iowa Official Register of 1906 in addition to the number authorized in section seventy of the code. That one thousand copies of the Iowa Official Register of 1906 be

bound in cloth with gilt letters, and that the State Binder be paid fifteen cents per volume in full, for folding, sewing and binding said one thousand copies in cloth.

C. R. BENEDICT,
Chief Clerk.

The following report was laid before the Senate by the president which was ordered placed on file:

Report of Board of Control of state institutions showing transfer of funds and balance in State Treasury December 31st, 1905.

INTRODUCTION OF BILLS.

By Senator Smith of Mitchell, Senate joint resolution No. 1.

SENATE JOINT RESOLUTION NO. 1.

Joint resolution relating to the selection of additional employes of the Thirty-first General Assembly, fixing their compensation and defining their duties.

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

Section 1. That E. J. Culver of Clarion, James Smith of Oelwein, W. J. Hamilton of Osceola, A J. Scott of Rockwell City, and H. T. Barber of Macedonia are hereby appointed policemen at a salary of $70 per month, each.

Section 2. That L. B. Raymond, Jr. of Hampton and J. R. Brink of Creston are hereby appointed clerks in the document room, at a salary of $60 per month, each.

Section 3. W. R. Oaks of Sabula is hereby appointed a clerk in the supply department at a salary of $60 per month.

Section 4. That Captain M. T. Russell of Des Moines is hereby appointed assistant bill clerk in the Senate at a salary of $60 per month.

Section 5. That William Robinson of Curlew is thereby appointed assistant file clerk in the Senate, at a salary of $60 per month.

Section 6. That Carl Peters of Reasnor, Samuel Diller of Des Moines, and C. T. Turbett of Des Moines are hereby appointed elevator tenders, at a salary of $60 per month, each.

Section 7. That Samuel Salts of Bernhart, J. E. Winder of Bedford, J. C. Smith of Garden Grove, C. B. Kennedy of Cedar Rapids, John Wildman of Marshalltown, Theodore Bell of Sioux City, F. C. Fritz of Stuart, R. L Adams of Chariton, E. T. Harris of Buxton, Dudley Spaulding of Shenandoah, S. W. Kyle of Marshalltown and Henry Johnson of Estherville, are hereby appointed janitors at a salary of $60 per month, each.

Section 8. That W. W. Hyzer of Guthrie Center is hereby appointed mail carrier, and H. H. Baldwin of Ft. Dodge is hereby appointed assistant mail carrier.

Section 9. That the policemen, elevator tenders, and janitors shall be assigned to their respective duties by the custodian; the clerks in the document room by the Secretary of State: the clerk in the supply department by the Secretary of the Executive Council; the assistant bill and file clerks by the secretary of the Senate: and the mail carriers by the president of the Senate and speaker of the Honse.

Section 10. That the custodian is hereby authorized and directed to detail not more than two of the janitors for work in the rooms of the Hall of History, as may be required by the Curator during the session of the General Assembly.

Section 11. That the secretary of the Senate and the chief clerk of the House are hereby directed to prepare a pay roll of said employees, the same to be countersigned by the President of the Senate and Speaker o the House, and presented to the Auditor of State.

Section 12. That the custodian is hereby authorized to employ such additional help as may be necessary to remove snow from the approaches porticos and walks about the Capitol.

Section 13. That the secretary of state is hereby authorized to retain as many clerks, herebv appointed, to serve in the document room as he may deem necessary, for a period of time not exceeding two weeks after the adjournment of the Thirty-first General Assembly.

Read first and second time.

Senator Smith of Mitchell moved that the rules be supended and that 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:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis.Maytag, Molsberry, Newberry, Saunders, Smith of DesMoines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Calhoun, Young of Wash ington—43.

The nays were:

None.

Absent or not voting:

Crawford, Gale, Gillilland, Jackson, Lyons, Winne, Young of Lee—7.

So the joint resolution having secured a constitutional majority was declared to have passed the Senate, and its title agreed to.

HOUSE MESSAGES CONSIDERED

House concurrent resolution 1 relative to printing fifteen thousand extra copies of the Iowa Official Register.

By unanimous consent the concurrent resolution was taken up and considered.

Senator Lambert moved that the Senate concur in the concurrent resolution.

Carried.

REPORT OF COMMITTEE.

Senator Maytag from the committee on Rules, submitted the following report:

MR. PRESIDENT—Your committee on rules would recommend that the rules of the Senate of the 30th General Assembly be adopted as the rules of this Senate.

F. L. MAYTAG,
Chairman.

Adopted.

Senator Dowell moved that when the Senate adjourns it be until 7:45 P. M.

Carried.

Senator Elerick was called to the chair at 11:20 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 following committees on the part of the House are appointed to visit state institutions under Concurrent Resolutions passed by both Houses;

State University of Iowa at Iowa City, Epperson of Wapello, Bixby of Delaware, Clary of Chickasaw.

State Agricultural College at Ames, Weeks of Guthrie, Hume of Mitchell Sankey of Decatur.

State Normal School at Cedar Falls, Gregory of Adams, Morris of Sioux, Whiting of Monona.

Hospital for the Insane at Mt. Pleasant, McCulloch of Wayne, Hollembeak of Adair, Kennedy of Lee.

Hospital for the Insane at Clarinda, Mott of Audubon, Meredith of Cass, Davie of Crawford.

Hospital for the Insane at Cherokee, Mattes of Sac, Maben of Hancock, Wyland of Shelby.

Hospital for the Insane at Independence, Wright of Webster, Jacobson of Winneshiek, Geneva of Keokuk.

Institution for the Deaf at Council Bluffs, Powers of Floyd, Leech of Cedar, Kling of Harrison.

College for the Blind at Vinton, Robinson of Emmet, Stanberry of Cerro Gordo, Lister of Grundy.

Industrial School at Mitchellville, Head of Green, Shaffer of Fayette McDole of Jackson.

Industrial School at Eldora, Dashiell of Warren, Doran of Boone, Darrah of Lucas.

Soldier's Home at Marshalltown, Bealer of Linn, Boland of Iowa, Heles, of Dubuque.

Soldier's Home at Davenport, Christianson of Hamilton, Welden of Hardin, Frudden of Dubuque.

Penitentiary at Anamosa, McElrath of Woodbury, Stoltenburg of Scott, Hakes of Pocahontas.

Penitentiary at Ft. Madison, Jones of Montgomery, Hume of Mitchell, Laird of Fremont

Inebriate Asylum at Knoxville Chassell of Plymouth, Wise of Black Hawk, Ritter of Des Moines.

C. R. BENEDICT
Chief Clerk

Also:

MR. PRESIDENT— I am directed to inform your honorable body that the House has passed the following Senate joint resolution No 1. in which the concurrence of the House was asked:

Joint resolution relating to the selection of additional employees of the Thirty-first General Assembly and fixing the compensation and defining their duties.

C. R. BENEDICT,
Chief Clerk.

President Herriott resumed the chair at 11:45 a. m.

HOUSE MESSAGES CONSIDERED.

Senate Joint Resolution No. 1.

Joint resolution relating to the selection of additional em-

ployees of the Thirty-first General Assembly, fixing compensation and defining their duties.

Passed on file.

Committee appointed on part of the House to visit the state institutions.

Passed on file.

Senator Elerick moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, January 11, 1906.

Senate met pursuant to adjournment at 7:45 P. M., President Herriott presiding.

Senator Brooks moved that the Senate do now adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, January 12, 1906.

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. R. F. Chambers of Newton, Iowa.

On request of Senator Bleakley leave of absence was granted Senator Jackson until next Tuesday.

On request of Senator Young of Washington leave of absence was granted Senator Stookey until next Tuesday.

On request of Senator Young of Washington leave of absence was granted Senator Lyons until next Tuesday.

On request of Senator Young of Washington leave of absence was granted Senator Wilson of Clinton until next Tuesday.

On request of Senator Brooks leave of absence was granted Senator Jones for the day.

On request of Senator Courtright leave of absence was granted Senator Hogue until next Tuesday.

PETITIONS AND MEMORIALS.

Senator Bruce presented petition from constituents in favor of the submission of the question of woman's suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Crossley presented petition of 33 members of Greenfield State Marshall's Club, favoring the passage of a State Marshall's law.

Referred to committee on Suppression of Intemperance.

Senator Bruce presented petition of Women's Christian Temperance Union of Atlantic, in support of woman's suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

INTRODUCTION OF BILLS.

By Senator Molsberry, Senate file No. 25, a bill for an act to amend section four thousand eight hundred and twenty-one of the code.

Read first and second time and referred to committee on Fish and Game.

By Senator Molsberry, Senate file No. 26, a bill for an act to legalize the acts of the "People's Bank" and the acts of the same corporation under the name of the "People's State Bank" located at West Liberty, Iowa, and to provide for filing its renewal certificate with the secretary of state.

Read first and second time and referred to committee on Judiciary.

By Senator Kinne, Senate file No. 27, a bill for an act to

amend sections two thousand seven hundred and thirty-nine, two thousand seven hundred and fifty-four, two thousand seven hundred and fifty-seven, two thousand seven hundred and sixty-two, two thousand seven hundred and sixty-four, two thousand seven hundred and sixty-five, two thousand seven hundred and sixty-nine, two thousand seven hundred and seventy-three, two thousand seven hundred and eighty-five, two thousand seven hundred and ninety-three, two thousand eight hundred, two thousand eight hundred and two and two thousand eight hundred and six of the code and supplement to the code relative to the school year, organization and annual meeting of school boards and reports of school officers.

Read first and second time and referred to committee on Schools.

By Senator Courtright, Senate file No. 28, a bill for an act to amend section three thousand six hundred and fifty-two of the code relating to trial and judgment.

Read first and second time and referred to committee on Judiciary.

By Senator Molsberry, Senate file No. 29, a bill for an act empowering the Governor and Secretary of State to execute quit claim deeds conveying to the grantees of L. Dunham all of the right, title and interest of the State of Iowa in the southwest quarter, the west half of the southeast quarter, the south half of the northwest quarter and the northwest quarter of the northwest quarter section twenty-eight (28) and the east half and the north west quarter of section twenty-nine (29) all in township seventy-three(73) north, range one (1), west of the fifth principal meridian.

Read first and second time and referred to committee on Judiciary.

Senator Gillilland asked unanimous consent that Senate file No. 14 be withdrawn from the Judiciary committee.

Granted.

Senator Dowell reported Senate file No. 14 from the Judiciary committee as requested.

Upon motion of Senator Gillilland Senate file No. 14 was referred the to committee on Agriculture.

Senator Elerick offered the following resolution and moved its adoption.

Resolved, That the President of the Senate is hereby authorized to appoint a telephone messenger at a salary of two dollars ($2.00) per day.

Adopted.

The president announced as the committee to investigate the number of copies of the Governor's message required:

Senators Young of Calhoun, Gillilland, Lambert.

The Journal of January 10th, 1906, was taken up, corrected and approved.

The President announced that he had appointed as telephone messenger, Roscoe C. Morrow.

Roscoe C. Morrow appeared before the bar of the Senate and was duly sworn.

Senator Hayward moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL O THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, TUESDAY, JANUARY 16, 1906.

Senate met in regular session at 2 o'clock P. M. pursuant to adjournment, President Herriott presiding,

Prayer was offered by the Rev. Don. A. Allen of Anita, Iowa.

On request of Senator Lambert, leave of absence was granted Senator Taylor until next Thursday on account of sickness.

PETITIONS AND MEMORIALS.

Senator Crossley presented petition and memorial from the citizens of Adair county, Grove township, Iowa, asking his personal influence to secure a bill for the passage of the State Marshal Law.

Referred to committee on Suppression of Intemperance.

Senator Lewis presented petition of William Ott and others for the passage of the State Marshal Law.

Referred to committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Warren, Senate file No. 30, a bill for an act to repeal sections 2734, 2735, 2736, 2737, chapter 13, title of the code, and sections 2734, 2736, supplement to the code and define qualifications of county superintendents and other purposes.

Read first and second time and referred to committee on Schools.

By Senator Elerick, Senate file No. 31, a bill for an act to amend sub-section of section 2448, as it appears in the code of 1897.

Read first and second time and referred to committee on Suppression of Intemperance.

By Senator Elerick, Senate file No, 32, a bill for an act to protect creditors who deposit money in savings, state and private banks,

Read first and second time and referred to committee on Banks and Banking.

By Senator Warren, Senate file No. 33, a bill for an act to amend section 2738, chapter 13, title 13, of the code and the supplement of the code pertaining to the support of normal institutions and defining the duties of the board of supervisors in reference thereto.

Read first and second time and referred to committee on Schools.

The Journal of January 11th, was taken up, corrected and approved.

The Journal of January 12th, was taken up, corrected and approved.

On motion of Senator Dowell, the Senate adjourned until 10 o'clock A. M. tomorrow.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, WEDNESDAY, JAN. 17th, 1906.

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. O. H. L. Mason, of Boone, Iowa.

INTRODUCTION OF BILLS.

By Senator Kimmel, Senate file No. 34, a bill for an act to amend Section 2419 of the code, and to provide for the re-shipment of intoxicating liquors.

Read first and second time and referred to committee on Judiciary.

By Senator Young of Lee, Senate file No. 35, a bill for an act to amend Section 2716 of the code, and to provide for the compensation of the Chaplains of the penitentiaries.

Read first and second time and referred to committee on Compensation of Public Officers.

By Senator Stirton, Senate file No. 36, a bill for an act limiting the liabilities of cities and towns for injuries received on streets, alleys and walks.

Read first and second time and referred to committee on Judiciary.

By Senator Stirton, Senate file No. 37, a bill for an act providing for the repair of ways and walks in cities and incorporated towns and imposing punishment on cities and town officials for failure to make the same.

Read first and second time and referred to committee on Judiciary.

By Senator Young of Washington, Senate file No. 38, a bill for an act making appropriations for construction, improvement, repairs and contingent funds for the Mt. Pleasant State Hospital.

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

By Senator Lewis, Senate file No 39, a bill for an act repealing sections 1872 and 1873 of the code relating to quarterly statements of state and savings banks and examinations by the Auditor of State and providing substitutes therefor.

Read first and second time and referred to committee on Banks and Banking.

By Senator Lewis, Senate file No. 40, a bill for an act providing for a penalty for embezzlement by officers and employes of banks and amendatory of section 1869 of the code.

Read first and second time and referred to committee on Judiciary.

By Senator Hayward, Senate file No. 41, a bill for an act to protect deserving wives and minor children against non-support by husbands.

Read first and second time and referred to committee on Judiciary.

By Senator Courtright, Senate file No. 42, a bill for an act to amend the law as it appears in section 1709 of the supplement to the code, relating to insurance on live stock.

Read first and second time and referred to committee on Insurance.

The Journal of yesterday was taken up, corrected and approved.

Senator Bleakly moved that one thousand extra copies of Senate file No. 12 be ordered printed.

Carried.

Senator Lewis offered the following concurrent resolution which was read.

CONCURRENT RESOLUTION.

WHEREAS, On Saturday, January twentieth, occurs the seventy-fourth birthday of an honored former Governor of the state of Iowa, the Hon. William Larrabee, therefore be it

Resolved by the Senate, the House concurring,

That a committee of five be appointed, consisting of two members of the Senate and three members of the House, to invite Governor and Mrs. Larrabee to be present on that day, the Governor to address the General Assembly: also to invite the present and former Governors and their wives to be present, and to make such arrangements as may be necessary for the joint convention.

Senator Lewis asked unanimous consent that the concurrent resolution be taken up and considered at this time.

Granted.

Senator Lewis moved the adoption of the resolution.

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Senate concurrent resolution in reference to recognizing the 74th birthday of former Governor Larrabee and appointing a committee to recognize the same. The Speaker appointed on part of the House Representatives Shaffer, Conn and Geneva.

C. R. BENEDICT,
Chief Clerk.

Also:

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:

Be it Resolved by the House, the Senate concurring,

That whereas Ex-Governor Cameron of Virginia, commissioner of and representing the "Ter-Centennial Exposition" of Jamestown, to be held in 1907, will be present at some time during this week's session of the General Assembly, in the interest of said exposition:

Therefore be it resolved that Ex-Governor Cameron be accorded the courtesy of addressing the two Houses of the General Assembly in the House chamber, Thursday, January 18th., 1906 at 2 o'clock P. M.

C. R. BENEDICT,
Chief Clerk.

Also:

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:

CONCURRENT RESOLUTION.

WHEREAS, It is made mandatory by the code that clerks of district courts accept bonds of bonding surety companies where such companies have the certificate of the Auditor of State to transact business within the State, and

WHEREAS, Some of the district courts have refused to allow the fees or premiums on bonds and objected strenuously to the acceptance of such bonds, claiming some of such companies are irresponsible and that judgments against many on forfeiture of bonds have been and remain unpaid without there being any visible assets within the state for the collection of such judgments, thereby jeopardizing the estate of decedents and not indemnifying the state, and

WHEREAS, Much controversy exists in such counties and embarrassment of district court clerks, therefore be it

Resolved, That a committee of three of the House and two from the Senate be appointed to examine carefully into the merits of the controversy and the laws now enacted in connection with such companies and make such report or suggestion as to legal enactment which shall relieve the embarrassment and protect the rights of the state and public.

The speaker appointed as committee on part of the House Hambleton of Mahaska, Dow of Franklin, Whiting of Monona.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGE CONSIDERED.

House Concurrent Resolution relative to extending invitation to ex-Governor Cameron of Virginia to address the two Houses of the General Assembly in House Chamber January 18, 1906.

Passed on file.

Senate Concurrent Resolution, in referrence to recognizing the 74th birthday of former governor Larrabee and appointing a committee to recognize the same.

Passed on file.

House Concurrent Resolution, relative to controversies existing in certain counties in regard to acceptance of bonds of bonding surety companies from clerks of district courts.

Passed on file.

Senator Turner moved that the Senate concur in the House Concurrent Resolution relative to extending an invitation to ex-Governor Cameron of Virginia representing the "Ter-Centennial Exposition" of Jamestown, to speak before the General Assembly Thursday, January 18th at 2 o'clock P. M.

Carried.

The President appointed as committee on part of the Senate to make arrangements to recognize the seventy-fourth birthday of former Governor William B. Larrabee, Senators Lewis and Wilson, of Fayette.

Senator Hayward moved that the Senate concur in the House concurrent resolution relative to bonds of bonding surety companies.

Carried.

The President announced as committee on part of the Senate on House concurrent resolution, relative to bonds of banking surety companies, Senators Dunham and Bruce.

Senator Garst moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, THURSDAY, JANUARY, 18th 1906.

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. Bryant C. Preston of Muscatine, Iowa.

INTRODUCTION OF BILLS.

By Senator Smith of Mitchell, Senate file No. 43, a bill for an act to amend sections one thousand one hundred and six (1106) one thousand one hundred and nine (1109) one thousand one hundred and nineteen (1119) one thousand one hundred and twenty (1120) and one thousand one hundred and twenty-one (1121) of the code relating to elections, form of and manner of marking of ballots.

Read first and second time and referred to committee on Elections.

By Senator Crossley, Senate file No 44, a bill for an act to amend section eighty-eight (88) of the code relating to the clerk of the state land office.

Read first and second time and referred to committee on Compensation of Public Officers.

By Senator Courtright, Senate file No. 45, a bill for an act to amend the law as it appears in section two thousand five hundred sixty-four (2564) of the supplement to the code as amended by chapter 97 of the acts of the 30th General Assembly relating to the state board of health, and also granting certain additional powers to said board, defining its duties and providing a remedy for violation of the law, and the rules of the state board of health the whole being additional to chapter sixteen (16) title twelve (12) of the code.

Read first and second time and referred to committee on Public Health.

By Senator Smith of Des Moines, Senate file No. 46, a bill for an act amendatory to section seven hundred ninty two (792) of chapter seven of title five of the code.

Read first and second time and referred to committee on cities and towns.

By Senator Garst, Senate file No. 47, a bill for an act to amend section forty seven (47) of the code, relative to compensation of newspapers for the publication of laws.

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

By Senator Wilson of Clinton, Senate file No. 48, a bill for an act to legalize the acts of the board of directors and electors, and authorize the issuing of forty thousand dollars ($40,000) in school building bonds in the Independent school district of Lyons City, Clinton county, Iowa and to validate said bonds.

Read first and second time and referred to committee on Judiciary.

Senator Young, of Calhoun, from the special committee appointed to investigate as to the number of copies of the Governor's Biennial Message required to be printed, submitted the following report:

MR. PRESIDENT—Your committee to investigate as to the number of copies of the Governor's Biennial Message demanded to be printed in pamphlet form, report that in their judgment the three thousand copies provided by the code will be sufficient.

YOUNG of Calhoun,
SHIRLEY GILLILLAND,
THOS. LAMBERT,
Committee.

Senator Young of Calhoun moved the adoption of the report.

Adopted.

Senator Saunders from the committee appointed in pursuance of joint resolution No. 6 of the 30th General Assembly, submitted the following report and asked that it be printed in full in the Journal:

To the Thirty-First General Assembly of Iowa:

Your committee, appointed in pursuance of joint resolution No. 6 of the Thirtieth General Assembly, beg leave to submit the following report:

Under the wording, and in the spirit of the resolution, we have considered it our duty to investigate the practical working and results obtained in those states where the indeterminate sentence system has been adopted, and also the results reached by the reformatory system, through the treatment of the state prisoners, based on what is known as the "Elmira Plan," adopted by the State of New York some thirty years since. With a view of more fully understanding any information your committee might receive in its travels, it visited the State penitentiaries of Iowa before entering upon its investigations in other states. In this connection, your committee desires to state that everything was done which could be by the officers of the Iowa institutions to facilitate its labors in these investigations. The committee selected for visitation the states where the indeterminate system and the Elmira reformatory methods were both in vogue.

We visited the penitentiary at Joliet, Illinois, and the Reformatory Institution at Pontiac, in the same state. Also the Elmira Reformatory in the State of New York, and that of Massachusetts, located at Concord Junction. We also visited the Massachusetts Penitentiary, at Charlestown, and spent one day with Hon. F. G. Pettigrove, Chairman of the Board of Prison Commissioners of the State of Massachusetts, at Boston, whose courtesy aud thoughtful kindness materially lightened the labors of this committee.

At Joliet, the committee were cordially received by Hon. E. J. Murphy, Warden of the Northern Penitentiary of Illinois, who extended your committee every facility for investigation, and, by his aid, it was enabled to study the methods and note the results of the Indeterminate Sentence as applied in that state, and also to become acquainted with modern reforms that have materially improved the management of penitentiaries and penal institutions. This prison is one of the largest in the West, having a prison population at the time of our visit of over fourteen hundred.

While "Reformatories" and the "Indeterminate Sentence," as subjects, are generally treated separately, for the purposes of this report, we prefer to join them and treat each as the complement of the other, for we find that reformation is the main object sought in an Indeterminate Sentence System, and that the Indeterminate Sentence is essential to the largest success of a Reformatory.

The "Indeterminate Sentence" may be defined in it's broader sense as being the sentence of the convicted offender to prison, generally without time limited upon the term of service. This is a brief definition of the term in it's theoretical application, but no state has yet adopted or put it into practice in it's broadest extent. The details of it's application vary in different states. Usually the law fixes a maximum and a minimum term of service, and between these limits the prisoner may be paroled under such terms and conditions as are prescribed by a Board of Commission, created for that purpose. In Illinois, the statute, as in our state, defining crimes and fixing penalties therefor, fixes a maximum and minimum terms of service, with which the law applying the Indeterminate Sentence has not interfered; so that one sentenced under this law cannot be held to service beyond the maximum fixed by the Statute of the State.

The terms under which one serving sentence may be released in a shorter period than the maximum fixed by law are regulated by provisions of the statutes, differing in various states—in some more largely than in others—leaving the execution of the plan to the prisor management, including the several bodies established by the law, for the purpose of executing the law.

A "Reformatory" is the title usually applied to an institution for the care and treatment of that younger class of criminals—most generally those between sixteen and thirty years—who have been convicted of offenses against the criminal law. Reformatories usually receive those younger persons who have been convicted of a felony, and who in the discretion of the court, may be sentenced to the imprisonment prescribed for felons, usually an exception is made as to those convicted of some of the more heinous crimes, such as murder, treason etc. Theoretically, the inmates of Reformatories are "*first*" offenders, and most of them are capable of being permanently reformed and made trustworthy and reliable citizens. Modern penology proceeds largely upon the theory that the convict when reformed should be released, but that the habitual criminal should be permanently detained. Reformatories differ from ordinary penitentiaries, not only in name, but in management and in the methods employed—the one dealing with the young criminal—the other with the hardened offender.

Your committee finds, however, that many principles and methods of the Reformatory are being used in some states in the penitentiaries with marked success, and that there is a growing disposition to further supply these scientific and humanitarian methods in the treatment of prisoners in all parts of the world. Even in Iowa, while we have as yet no Reformatory, there is a gradual evolution in the management of our penal institutions. Corporal or other punishments are not administered. We have abandoned the "lock step" and the "tin plate." Prisoners are humanely treated, and are well, but plainly fed, from earthenware table furnishings, and are permitted to assemble in a common dining room. Our statute grants a diminution of sentence for good conduct, so graded that it is possible for a prisoner to reduce a ten years' sentence to an actual service of six years and three months. By way of furthering discipline, we now use a system of grades and privileges which are to be earned by the prisoner under the rules and regulations of the prison. The incorporation into the Penal System of Iowa of an Indeterminate Sentence Law, with the parole features that usually accompany it, has been advocated for some years by those most interested in prison reforms; and, in the Thirtieth General Assembly, it was proposed that steps be taken to adopt these newer and better methods. It has been urged by humanitarians that boys above sixteen years of age sent to our Iowa penitentiaries, are thrown into contact, and more or less into association, with hardened and persistent criminals; a practice severely condemned by many advanced students of this subject who are interested in the protection of society and those experienced in the care and control of the criminal class. The seggregation of the young offenders from habitual criminals and life termers, and their treatment by reformatory methods, has been recommended by our Board of Control and prison authorities, and many prominent and distinguished men of our state.

The "Indeterminate Sentence" law went into effect in the state of Illinois July first, 1895, and has thus had ten years' trial. Upon the adoption of the law, it met with considerable opposition, and was the subject of much adverse criticism, both in the press and among the people and officials of the state; but it has been gradually growing in favor, until we find that the system is firmly established in the jurisprudence of that state, and there are few, if any, who would now advocate its repeal. The opposition to it arose from several sources, the principal among which are the following.

First:—The natural opposition which conservatism manifests against innovation;

Second:—The lack of understanding of the system upon the part of the officials and the people;

Third:—The unfortunate factional contest in the ranks of the party then charged with the administration of State affairs; and

Lastly:—The united opposition of the criminal classes and their friends, arising out of their appreciation that this system would mean for them longer service in penal institutions, in case of conviction.

In Illinois, the Constitutional Provision, vesting the pardoning power in the Governor, is almost identical in terms with the provisions of the Iowa Constitution on the same subject; so that there, as here, it can only be granted by the act of the Governor himself.

Your committee recognize that it is a physical impossibilty for the Governor to perform the many duties pertaining to his high position, and, at the same time, give personal attention to all applications which require his action under an Indeterminate Sentence law. To meet this difficulty, a law was enacted in the State of Illinois, creating a commission of three to be known as the Board of Pardons. This Board is required, under the Statutes, to exercise a supervision over all persons committed to the penitentiary under the Indeterminate Sentence law, and it is authorized to parole prisoners committed under said law. When, in the judgement of this Board, the prisoner is entitled to a discharge, prior to the end of the maximum term provided by the Statute under which he was sentenced, the Board may recommend such prisoner to the Governor, with the suggestion that a full and complete pardon be granted. This Board is also charged with the further duty of examining all petitions and requests for paroles, commutations and pardons. After such investigation is made, it becomes the duty of the Board to make to the Governor such recommendations as in its judgment are proper. The duties and functions of the Board in this latter capacity are only advisory. Your committee is informed that in ten years, experience under this system in the state of Illinois, the recommendations of the Board of Pardons had been approved by the Governor, and his official action has been in accordance therewith in every case save one. The action of the Board of Pardons, however, does not prohibit the Governor from proceding on his own initiative to grant a pardon, commutation or parole, if he shall so desire.

The detail of the administration of the Indeterminate Sentence Law vary somewhat in the several states where that system of punishment is in force; the state of Illinois affords, however, a fair example of the method and plan pursued in the treatment of the criminal after sentence under this system.

When brought before the Court, the Judge, instead of sentencing the defendent to a definite term of service in the penitentiary, merely orders that the prisoner be ''committed to the penitentiary''. Upon his reception at the penitentiary, the prisoner is provided with a blank form, which, when filled out, by him, gives a detail history of the individual, his former occupation, his antecedents, his parentage, and his criminal career, if any. In addition, he is asked to give a number of references in the community where in he has resided. This history, as given by the convict, is frequantly unreliable, and the references given are usually those of his friends. Thereupon, the Board of Pardons opens a voluminous correspondence, not only with the persons to whom reference was made by the prisoner, but also with officers of the law the police authorities of the larger cities, wardens of penitentiaries in that and other states, and also with other individuals living in the towns or communities where the prisoner has resided, and also in the localities where the persons to whom he has referred reside.

This correspondence and the inquiries made by the Board of Parole continue during the first year of the prisoner's confinement; and if, at the end of the year, the prisoner has made his standing under the rules, he may be brought before the Board for examination. He is then interrogated, so far as the Board may desire, in reference to his previous life. The prisoner is frequently untruthful in this examination and almost invariably to his own detriment, because of the fact that the Board is usually in possesion of full information in reference to the case under examination. If it should be ascertained that he has served one or more terms in a penitentiary before and has become what is known as a "Repeater", he is remanded for a further examination, and sometimes an order is made, where the crime has been of an aggravated character or where he is a "Repeater", that he serve the maximum sentence. This order, however. is always subject to reversal or modification by the Board. Ordinarily, the individual who has served one or more terms is not paroled at the time of the first examination, because, in the opinion of the Board, it is necessary that the professional criminal be restrained for a longer period of time, (even though his prison record may have been excellent) than the man who is serving his first term. If he is serving his first term, and, in the judgment of the Board, has been confined a sufficient period of time and has made a good prison record, an order of parole is entered. He is not released, however, upon parole until some suitable person has agreed, in writing, to give the prisoner employment for a definite period of time, usually one year, and until an investigation of the individual who promises employment is made by the Board. This is done because the Board does not desire to parole the prisoner and place him in the care of an irresponsible or unsuitable employer. This course enables the individual, when released, to have employment, and gives him an opportunity to make of himself a good citizen, and shields him from the temptations that might overcome the weak and the idle.

During the first year of his parole,—longer if deemed necessary,—he is required to make reports from time to time to the Board. These reports usually require him to exhibit the amount of his earnings, the amount expended and for what purposes and also to show generally, what his life has been. If, at the end of the year of parole, the Board is satisfied that he has become a good citizen and is worthy of a discharge, the same is grant-

ed. If, however, the Board believes that the term of surveilance should be extended, it is accordingly done, and the individual remains under espionage until the Board is satisfied that a discharge should be granted. Usually under the terms of the parole, the prisoner is required to dwell within the limits of the state of Illinois; and if he flees beyond the State line or violates the terms of parole, an order of commitment is at once issued by the Board and he is apprehended and returned to the penitentiary, where he is held until again paroled or discharged, because he has served the maximum time fixed by the Statute for the punishment of the crime for which he was convicted. The time that the prisoner is on parole is lost to him, in the event of his recommitment for violation of the parole.

The experience in the Joliet Peniteniiary has demonstrated that the Indeterminate Sentence System tends to improve and make easier the discipline and control of the prisoners. The following table is taken from the report of the Warden of the Joliet Penitentiary, for the year 1904;

Comparative Statement Showing Days Labor Lost by Punishment from 1892 to 1904, Showing the Total Number of Days Board and the Total Number of Days Lost by Punishment, with the Percentage for each year.

Year.	Total Days Board.	Days Labor Lost by punishment.	Per Cent.
Years ending Sept. 30, 1892	527,790	810	0.155
" 1893	513,190	594	0.116
" 1894	528,520	642	0.122
" 1895	589,840	466	0.079
" 1896	519,484	263	0.051
" 1897	486,593	368	0.079
" 1898	504,549	331	0.066
" 1899	492,749	364	0.061
" 1900	476 434	197	0.041
" 1901	467,834	234	0.050
" 1902	465,035	283	0.060
" 1903	472,854	710	0 150
" 1904	496,887	252	0.051

NOTE: In reading this table, it must be remembered that the Indeterminate Sentence Law went into effect July 1, 1905. The sudden increase or the percentage of punishment in the year 1903 is explained by Warden Murphy as due to the fact large ly that a new Deputy Warden was installed during that year, and some of the unruly prisoners took advantage of the circumstance to create a disturbance.

Warden Murphy stated to your committee that, in his opinion, the fact the prisoner cannot hope for relief until the termination of the maximum period, except by the observance of prison rules, is a much greater incentive to good conduct than the good time reduction that was possible under the Definite Term Sentence System, in force prior to July first, 1895.

One of the arguments urged in opposition to the Indeterminate Sentence System is that criminals are released from the penitentiary without having served a sufficient period of time; but the experience at the Joliet Penitentiary demonstrates that such is not the fact. On page 52 of the Warden's Report, for the year 1904, is found a very instructive table in reference to this matter; but, for want of space, we forbear the printing of same. It shows, however, that the average time served by convicts released during the year ending June 30th, 1895, under the Definite Sentence System, was one year, seven months and eleven days, while the average time served by all convicts discharged during the two years ending September 30th, 1904, was two years, five months and five days.

The experience at the Joliet Penitentiary, in the judgment of your committee, demonstrates that the Indeterminate Sentence System tends to diminish the number of "Repeaters" committed to that penitentiary. In the year ending June 30th, 1895, which was the last year the state of Illinois used the Definite Sentence System, the percentage of re-commitment was seventeen and fifty-eight one-hundredth per cent. Under the first year of the Indeterminate Sentence Law, the recommitments fell to fourteen and eighty-eight one-hundredths per cent. For the year ending July 1, 1898, the per centage was twelve and thirty-four one-hundredth per cent. For the year ending September 30th, 1900, the per centage was ten and fifty-eight one-hundreths per cent; for the year ending November 30th, 1901, nine and ninety one-hundredths per cent; for the year ending September 30th, 1902 fifteen and twelve one-hundredths per cent; for the year ending September 30th, 1905, nine and nineteen one-hundredths per cent; and for the year ending September 30th, 1904, eight and ninety two one-hundredths per cent.

Your committee is of the opinion that the Indeterminate Sentence more nearly comports with the just administration of the law than the Definite Sentence System, for the reason that it tends to the equalization of sentences. In the hurry of the trial and the pressure of the court business, the Judge frequently inflicts a sentence that fall far short of doing justice to the community and the criminal. Experience has proven that the professional criminal is an adept in concealing for at least a limited period of time his former misdeeds and convictions. Where he is convicted under Indeterminate Sentence System and comes before the Board of Parole, after one or more years of confinement, the Board is in possession of the man's history and is better able to determine what the length of the sentence should be than the Judge and the County Attorney, whose acquaintaince with the man frequently does not extend beyond a few days or weeks.

In this connection, it may also be pertinent to suggest that the Board of Parole is usually removed from the local passion, prejudice and bias of the community in which the crime was commited, and therefore better enabled to dispassionately judge what the term of sentence should be. Every person, experienced in the management of criminals, has frequently had brought to his attention cases where sentences have been administered that were in duration all out of proportion to the offense and the prisoner's crimina tendencies, or lack thereof, were not taken into consideration. In some cases, the punishment is too light, and in others, too severe.

The Indeterminate Sentence System affords better protection to society in other ways also, than does the system now in use in Iowa. Under our Definite Sentence law, the prisoner receives his good time for good conduct while in prison, and must be released, although as dangerous to society as when convicted. His return to prison necessitates another trial, with the attendant annoyance, expense and uncertainty of conviction. Not so under the Indeterminate Sentence. If released before the maximum time, which in most cases is much longer than the sentence now usually imposed it is when the trained officials are satisfied that he is no longer a menace to society; and if he violates his parole, he is again remanded to prison, without trial, and forfeits all that he has theretofore gained by good conduct. Thus the criminal may be held within the grasp of the law until full maximum term fixed by the Statute for crime has been served.

Your committee finds that at least thirteen states have the Indeterminate Sentence and Parole System applied to their penitentiaries. Six other states have Boards of Parole and Parole Systems, independent of any Indeterminate Sentence law. The sentences in these latter states are for definite terms, but the application of the Parole Law is such that the main features of the Indeterminate Sentence are carried into practice; so that the results are very similar, although not as satisfactory. In all the states visited by your committee, the prison officials expressed themselves as being pleased with work and results of the Indeterminate Sentence and Reformatory System, and gave them hearty endorsement. We find also that this method of treatment for convicts is recommended by the International Prison Congress. In all our communications with prison officials and those who have made a study of prison reform, we found none who were not earnest in their endorsement of these systems; and the efficient wardens of our own State earnestly recommend their adoption.

While these systems are undoubted improvements upon former methods and mark a great advance in prison government and the control and care of prisoners, their success must depend very largely upon the personality of those charged with the management of such institutions; careful and intelligent administration of the system are necessary in working out the results. The Board of Parole should be removed, as far as possible, from all political and outside influence, of whatever kind; and petitions, the intervention and solicitation of friends and unsolicited correspondence, should be ignored by them generally; or, if allowed any weight, they should be very carefully scrutinized. The best results are obtained where the convict is required to work his way, unaided by friends or influence, and is not realized until the Board is satisfied that he is able to and will respect the terms of his parole and has secured and accepted honorable employment. Some states furnish assistance in securing employment, but, even if no such aid is provided, the paroled prisoner, with his certificate of confidence from the Board, in the form of a parole, has a much better chance to secure work and succeed in the future than has the convict released and under our present system.

We find that twelve states have provided reformatories for young men, in all of which the so-called reformatory principle obtains to a greater or less degree. The results obtained and the success shown seem to confirm the claim confidently made, that this principle is scientific, economic and ethic; scientific, because it inquires into the previous condition of the criminal, his associations, inherited tendencies and environments, and, in the light of this knowledge thus acquired, undertakes to remedy and reform his criminal tendencies; economic, because it saves the expense of trial, the maintenance of the convict, and saves his earning capacity, and the losses and damage sustained to society by reason of criminal depredations; it also restores to the community a productive worker and, oftentimes, a valuable citizen, who would otherwise be lost to the productive forces of society; ethic, because it changes his habits of thought and action, builds him up physically and mentally, gives him a higher conception of social obligations, equips him for making an honest living, and requires of him proof of his ability to stand morally erect and discharges him better able to succeed in the struggles of life than he was before his committal.

Among the activities that are greatly emphasized in practically all reformatories, we mention the following:

Scientific physical training of all who need it.

Training to prompt and exact obedience and respect for law, by the use of military drills, rules and regulations.

A "System" that keeps the inmates, under the care of a competent keeper, continuously busy from the morning bell tap until "lights out" at night.

The giving of a common school education to all who need it, supplemental to which is taught the obligations of the individual to society, the duties of American citizenship and the need of self-control.

The industrial school training, in which each is taught a useful trade or calling, by which he is able to retain employment and make an honest living in competition with the world; and, lastly,

The moral and religious work which is encouraged in every institution, with the object of strengthening and developing the weak places in the character of the individual.

So far as your committee has been able to investigate the working of the institutions visited, we find them proceding by somewhat different methods, using, to a certain extent, different rules and regulations, with conditions and equipment peculiar to each institution; but the common object sought in them all is the reformation of the convict for the protection of society. Pontiac has it's parade ground and drills, it's separate school building; it's Junior Republic, where membership is only acquired by a higher degree of excellence, and which is practically selfgoverning, under the direction, of course, of the officials; it's dormitories, instead of cells, for it's younger inmates; and it's emphasis of manual training.

Elmira has it's magnificent regimental drill and calisthenic exercises; it's messenger service, to which only trusted prisoners are advanced; the movement of classes and promotions from grade to grade. Here are used large numbers of inmates as drill-masters, teachers and messengers, and thirty two useful trades are taught. Much of the labor preformed is permanent being utilized for the benefit and enlargement of the buildings and equipment of the institution itself. Certain political conditions existing in that state have made it necessary that a large part of the training work be done for the purpose of exemplifying and giving practice, rather than for permanent results to the State. Those in charge of the Elmira Institution claim that seventy three per cent of those consigned to the Reformatory are permanently reformed and sent out to the world as good citizens, never reappearing in criminal annals.

At Concord, the drills and calisthenic exercises are omitted. All instruction in this institution is by paid teachers. The work, done by the prisoners, is intended to be permanent and useful and is not destroyed when finished. A large part of the product of the institution is used by the State in other state, county and municipal institutions. They use a very elaborate system of markings and record keeping, aiming to keep a perfect record of each inmate from the time he is admitted until he is finally discharged. The officers of this Reformatory claim to show a result of eighty per cent of thorough reforms.

Your committee made inquiry as to the means of knowledge and the basis of the facts upon which these claims of permanent reformation rest, and

were informed that such claims as well founded and are based very largely upon a system of interchange of information between the various prisons of the country, and a system of identification which has been adopted, used and found reliable in the advanced prisons of the country.

Using these three institutions as illustrating the workings of the Reformatory System, we have noted that each is different from the other, but that the Indeterminate Sentence and parole system, the careful grading of inmates usually indicated by the uniform worn and the privileges granted, the markings for conduct, labor, character building and educational progress, the ethical training, the religious services, the help furnished to obtain employment, and the new start in the world of active life are common to them all. Each is a great institution, doing a splendid work and well worthy of the great and enlightened states which have created them.

Your committee regrets that it cannot, in the brief space allotted to this report, offer you a more complete summary of the methods and detail employed in the several institutions visited, but we must content our selves with saying that no single method is abolutely essential; the details of management; the methods employed; the markings; grading; privileges; etc., necessary to attain the results which are the common object of all such institutions, must be largely left to the intelligent discretion of those charged with the building and care of such institutions, ever seeking to improve themselves by the experience of other successful institutions of the character of those inspected by your committee and many other great institutions which your committee felt that they were not justified in visiting because of the great expense. We again emphasise the fact that the success of any such institution and of the plans adopted will largely depend upon the character and capability, the fitness, honesty, intelligence and zeal of men who are entrusted with it's management.

It would serve no good purpose for your committee to pass an opinion upon these methods, because those entrusted with the management of such institutions and the execution of the systems here recommended, must study these problems for themselves and examination of the institutions indicated and many others, so that they may benefit by all the experience of the many workers in the same line of prison reform.

In Iowa, conditions are somewhat different from those of any of the states visited. Our prison population is much smaller. With no deductions for those eligible to the reformatories, our two penitentiaries now contain over five hundred less inmates than Joliet alone. The Urban population of the state of Iowa is relatively much smaller than that of any of the states visited, and this fact alone differentiates very largely the character of the prison population; this committee, however, believes that these systems are applicable to this state and that the wisdom of those chosen to manage will adapt those better systems to the conditions existing here. One penitentiary, with proper conveniences as to room and sanitary surroundings, could easily accomodate our prison population. It is estimated that fully fifty per cent. of the convicts now serving time in our penitentiaries are hopeful subjects for reformatory treatment.

Of all the penitentiaries visited, we found none better kept and better managed than the northern penitentiary of Iowa, at Anamosa. This could easily be converted, with little expense, into a Reformatory; and adapted to all the needs of such an institution. Practically all of the equip-

ment there is capable of use and, with the addition of a few buildings, (not neccessarily costly) and machinery for the trade-schools and manual training, it would possess all the equipment necessary to put in operation such an institution. Your committee believes, however, that some time will be necessary to develop plans and work out the program under which Iowa may maintain one Reformatory Prison and one Penitentiary proper. The State owns a large property at Fort Madison, and, if the decision shall be to continue it as the penitentiary, it will be necessary to erect a cell-house, with a capacity of from 720 to 760 cells. In all probability, a cell-house of this capacity will not be filled for some time to come, but, while building, it would be economic to provide sufficient accomodations which may be relied upon as a margin of safety for the future. The old cell-house at Fort Madison, in the judgment of your committee, is entirely unfit to be used as such, and should be replaced by a new one at the earliest possible time, even if no changes are made in our penal institutions. The management of this prison is excellent and no just criticism can be made of it's officials and the earnestness with which they have tried to better conditions surrounding the prison. The prison cell-house of Fort Madison was erected many years ago, before many of the modern improvements were known, and has outlived it's usefulness, and, in the judgment of your committee, is a disgrace to the great state of Iowa, being unfit for human habitation. We desire to emphasize in this connection that the efficient warden of this prison is in no way responsible for it's condition, as he has done all that was possible under the surroundings, to better its condition; but the task cannot be accomplished short of replacing the antiquated cell-house by a modern one with modern conveniences and necessities.

IN CONCLUSION—Your committee offer the following recommendation:—

1. The enactment by the General Assembly, of an Indeterminate Sentence and Parole Law.

2. That the Thirty First General Assembly make provision for a suitable penitentiary, to be used for the restraint of persons committed by the courts of the state to the penitentiary.

3. That a Reformatory law be enacted, providing in terms that all males between the ages of sixteen and thirty years who have not been sentenced to life imprisonment or convicted of heinous crimes, such as murder, treason, etc., may be committed to a reformatory, when found guilty of a felony, provided, of course, that the prisoner is not by court sentenced, to imprisonment in the County Jail, or the payment of a fine, without imprisonment in the penitentiary. That the Board of Control be authorized to make such changes and improvements in the Anamosa Prison as to render it suitable for use as a reformatory, and that the Anamosa Prison be declared by law to be a Reformatory on and after some date, to be fixed by the General Assembly.

4. That, on and after the date fixed, upon which the Reformatory Law shall become effective, that the prison at Anamosa be known and maintained as a Reformatory and that the Board of Control be directed to erect such buildings, if any, as may be necessary to properly equip the same for reformatory purposes.

In this connection, your committee begs leave to recommend that, as a hospital has been erected in the prison at Anamosa, for the care of the

criminal insane, that it still be maintained and used for that purpose, until such time as that the General Assembly shall make other provisions; and, as the female portion of the prison at Anamosa has already by statute been declared a Reformatory, your committee recommend that it shall be used as the place of detention for the female convicts of Iowa until such time as the General Assembly shall make other provisions.

Respectfully submitted,

C. G. SAUNDERS,
F. F. JONES,
M. L. TEMPLE,
Committee.

The Journal of yesterday was taken up, corrected and approved.

Lillian Robson appeared before the bar of the Senate and was sworn in as a committee clerk.

Senator Molsberry moved that when the Senate adjourn it be until 1:50 o'clock P. M.

Carried.

Senator Molsberry moved that the Senate do now adjourn.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment, President Herriott presiding.

On request of Senator Smith of Mitchell leave of absence was granted Senator Saunders until next Monday.

Senator Lewis from the special committee appointed to make arrangements for recognizing the seventy-fourth (74) birthday of former Gov. Larrabee submitted the following report.

REPORT OF JOINT COMMITTEE ON RECEPTION FOR HON. WM. LARRABEE.

Your committee, to whom was referred the matter of making arrangements for a joint convention of the Senate and House to be held on Saturday, the 20th inst. in honor of Ex-Governor William Larrabee, report that they have had the matter under consideration and recommend the following program:

We recommend that a joint convention be provided by concurrent resolution to be held in the House Chamber at ten A. M. Saturday, January 20th.

Convention to be called to order by Lieutenant Governor Herriott.

Governor Larrabee will be introduced by Speaker Clarke.

Address by Governor Larrabee.

Lieutenant Governor Herriot will introduce the Ex-Governors present and Governor Cummins, who will be invited to address the convention.

Immediately following adjournment, Governor Larrabee, and invited guests together with the Lieutenant Governor and Speaker of the House, with their wives, will hold a reception in the Speaker's room to the members of the legislature and their families, state officers and others, who may attend the joint convention.

All of which is respectfully submitted by the joint committee.

L. W. LEWIS,
A. C. WILSON,
J. D. SHAFFER,
THOS. GENEVA,
STANLEY CONN,
Committee on Arrangement.

Senator Lewis asked unanimous consent to consider the report at this time.

Consent granted.

Senator Lewis moved the adoption of the report.

The report was adopted.

A committee appeared from the House and announced that the House was ready to receive the Senate in joint convention.

The President announced that the Senate would proceed to the House under the direction of the Sergeant-at-Arms.

The Senate proceeded to the House to meet in joint convention and listen to the address of Ex-Governor Cameron of Virginia, on the "Ter-Centennial Exposition" of Jamestown, to be held in 1907.

The Senate returned from joint convention.

Senator Newberry moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, January 19, 1906.

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

Prayer was offered by the Rev. W. L. McCullogh of Chariton, Iowa.

On request of Senator Wilson of Fayette leave of absence was granted Senator Jackson until Monday.

On request of Senator Hopkins leave of absence was granted Senator Maytag until Monday.

On request of Senator Whipple leave of absence was granted Senator Gillilland until Monday.

On request of Senator Elerick leave of absence was granted Senator Hogue until Monday.

On request of President Herriott leave of absence was granted Senator Molsberry until Monday.

PETITIONS AND MEMORIALS.

Senator Jamison presented petition to enact into law the measure known as the State Marshal bill, signed by thirty-seven voters of Indianola, Iowa.

Referred to committee on Suppression of Intemperance.

Senator Smith of Des Moines presented petition to repeal the existing road law, being Senate substitute for House file No. 286, and to enact in its stead a law which will give us back the road district system existing before. Signed by 141 votes of Des Moines county.

Referred to committee on Highways.

Senator Harper presented petition signed by fifteen taxpayers of Ottumwa to use influence in modifying chapter eight, section two thousand one hundred and fifty-eight (2158), title ten of code of 1897, as far as referring to telephone companies.

Referred to committee on Telegraph and Telephones.

INTRODUCTION OF BILLS.

By Senator Gale, Senate file No. 49, a bill for an act to make it a misdemeaner for unlawfully omitting to provide for wife or child.

Read first and second time and referred to committee on Judiciary.

By Senator Whipple, Senate file No. 50, a bill for an act making appropriations for the College for the Blind.

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

By Senator Young of Lee, Senate file No. 51, a bill for an ac appropriating money for the benefit of the Penitentiary at Ft. Madison.

Read first and second time and referred to committee on appropriations.

By Senator Young of Calhoun, Senate file No. 52, a bill for an act making appropriations for the benefit of the Industrial School for Boys at Eldora.

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

By Senator Smith of Des Moines, Senate file No. 53, a bill for an act to amend the law as it appears in section eight hundred and fifty (850) of the supplement to the code relating to park commissioners.

Read first and second time and referred to committee on cities and towns.

By Senator Courtright (by request) Senate file No. 54, a bill for an act additional to chapter three, title sixteen, of the code in relation to divorce and alimony.

Read first and second time and referred to committee on Judiciary.

By Senator Kinne, Senate file No. 55, a bill for an act to amend section one, chapter ninety-four (94), laws of The Thirtieth General Assembly, relative to taking fish from the lakes of the state.

Read first and second time and referred to committee on Fish and Game.

By Senator Smith of Mitchell, Senate file No. 56, a bill for an act to amend section two thousand four hundred fifty, (2450) of the code relating to the sale of intoxicating liquors under the mulct law.

Read first and second time and referred to committee on Suppression of Intemperance.

Senator Stookey asked unaminous consent to withdraw Senate file No. 3 from the committee on elections and referred it to the committee on Schools.

Granted.

REPORT OF COMMITTEE.

Senator Dowell from the committee on Judiciary, submitted the following report:

MR PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 28, a bill for an act to amend section thirty-six hundred fifty-two (3652) of the code relating to trial and judgment beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Senator Dowell from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 34, a bill for an act to amend section twenty-four hundred nineteen (2419) of the code and to provide for the reshipment 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 same be referred to the committee on Suppression of Intemperance.

C. C. DOWELL,
Chairman.

Senator Dowell moved that the report of the committee be adopted.

Carried.

Senator Dowell, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 15. a bill for an act to amend section four thousand nine hundred thirty-six (4936) of the code relating to Incest beg leave to report that 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. C. DOWELL,
Chairman.

Ordered passed on file.

Senator Dowell, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 1, a bill for an act to amend section one hundred ninety three (193) of the code of eighteen hundred and ninety seven (1897) and to provide for the Chief Justiceship of the Supreme Court 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 referred to the special committee on Tenure of Office.

C. C. DOWELL,
Chairman.

Senator Dowell moved that the report of the committee be adopted.

Carried.

Senator Dowell, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 26, a bill for an act to legalize the acts of the "People's Bank" and the acts of the same corporation under the name of the "People's State Bank" located at West Liberty, Iowa, and to provide for filing its renewal certificates with 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 same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Senator C. C. Dowell, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary to whom was reffered Senate file No. 24, a bill for an act to legalize the incorporation of the town of Harvey, Marion County, Iowa, the publication of notices thereof and ordinances passed, beg leave to report that 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. C. DOWELL,
Chairman.

Ordered passed on file.

Senator Dowell from the committee on Judiciary submitted the following report:

MR. PRESIDENT— Your committee on Judiciary to whom was referred Senate file No. 23, a bill for an act to legalize the action of the Independent school district of West Des Moines, Polk County, Iowa, in voting bonds at an election held on the 13th day of March, 1905, and legalizing the bonds issued by said school district under said election, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

By unanimous Consent.

On motion of Senator Dowell, Senate file No. 23, a b ll for an act to legalize the action of the Independent school district of West Des Moines, Polk County, Iowa, in voting bonds at an election held on the 13th day of March, 1905, and legalizing the bonds ssued by said school district under said election with report of ommittee recommending passage was taken up and considered.

The bill was read for information.

Senator Dowell moved that the rule be suspended, and that the bill be considered engrossed, and the reading just had, be considered its third reading which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey,

Stuckslager, Taylor Turner, Wade, Warren, Whipple, Wilson, of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington.—42.

The nays were:

None.

Absent or not voting:

Senators Gale, Gillilland, Hogue, Jackson, Lyons, Maytag, Molsberry, Saunders.—8.

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

On motion of Senator Courtright, Senate file No. 28, a bill for an act to amend section thirty-six hundred and fifty-two (3,652) of the code, relating to trial and judgment, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed, and the reading just had, be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Harper, Harsthorn, Hasselquist Hayward, Hopkins, Hughes, Jones, Kimmel, Kinne, Lewis, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—40.

The nays were:

None.

Absent or not voting:

Senators Gale, Gillilland, Hogue, Jackson, Jamison, Lambert, Lyons, Maytag, Molsberry, Saunders.—10

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

The President announced that he had signed in the presence of the Senate. Senate Joint Resolution No. 1.

On motion of Senator Warren, Senate file No. 24, a bill for an act to legalize the incorporation of the town of Harvey, Marion County, Iowa, the publication of notices thereof and ordinances passed, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Warren moved that the rule be suspended, and that the bill be considered engrossed, and the reading just had, be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Jones, Kimmel, Kinne, Lewis, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—41.

The nays were:

None.

Absent or not voting:

Senators Dowell, Gillilland, Hogue, Jackson, Lambert, Lyons, Maytag, Molsberry, Saunders—9.

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

The Journal of yesterday was taken up, corrected and approved.

Senator Lewis moved that when the Senate adjourn it be until 9:30 A. M. tomorrow.

Carried.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

HOUSE CONCURRENT RESOLUTION.

Resolved by the House, the Senate concurring, That on Saturday, January twentieth (20th) at ten o'clock A. M. the Senate and House meet in joint session in the House chamber in pursuance of concurrent resolution adopted January seventeenth (17th) to listen to an address by ex-Governor William Larrabee and other invited guests.

C. R. BENEDICT,
Chief Clerk.

Senator Lewis moved that the concurrent resolution relative to joint session in pursuance of concurrent resolution, adopted January 17, be concurred in.

Carried.

Senator Harper from the joint committee appointed to visit the Iowa State Normal School at Cedar Falls, submitted the following report and asked that it be printed in the Journal:

To the President of the Senate and the Speaker of the House, Thirty-first General Assembly:

Your joint committee to visit the Iowa State Normal School at Cedar Falls begs leave to make the following report:

Your committee believes that the administration of this institution is in able hands, that it is efficient and progressive; and that this school is accomplishing a great work for the advancement of education in the State of Iowa.

We arrived at the school on the morning of January 15th, 1906. Went directly to President Seerley's office and spent the forenoon in a careful examination of the buildings, which we found to be in excellent condition from a sanitary point of view. The rooms were clean and kept in splendid condition for the purposes for which they are used.

We commend especially the ventilating system which appeared to us to be perfect. We were most favorably impressed with the gymnasium, and especially their system of women's lockers, dressing rooms, and baths, installed within the past two years, which we consider one of the best in the country. We were informed that these lockers were all manufactured and placed in position by the employes of the school.

We were impressed with the advantages of the training school that they have inaugurated within the last two years. The pupils in this training school come from the City of Cedar Falls, and afford the students, who expect to become teachers, an opportunity for practical experience in teaching, under the supervision of the teachers of the State Normal School.

The buildings of the Iowa State Normal School are substantial, rather than ornamental, and have been built almost entirely of Iowa brick. This is highly commendable for the reason that good durable buildings are secured at a less cost, than if built of stone or imported material.

We have given some attention to the request of the President for the continuation of the millage tax for the purpose of constructing the buildings referred to by him in a report or statement which will be, or has been, filed with the appropriation committees. We are of the opinion that the buildings asked for are needed and that the millage tax should be continued. The committee is favorable to the millage tax proposition set forth in the above mentioned report for the reason that the president of the institution

has assured us that the tax, continued for a term of five years, will complete all buildings necessary to the proper equipment of the school, and that no further millage tax will be asked.

Upon investigation, we find that the salaries paid at the State Normal School are higher than those paid at the other state institutions. President Seerley asks for an appropriation of $12,000.00 for additional salaries for the next year. From the information at hand, the committee does not see its way clear to recommend this appropriation, and respectfully refers it to the careful consideration of the members of the 31st General Assembly. For the information of the members, we refer them to the salary list in the report of the Board of Trustees for the State Normal School for the school years 1903-1904 and 1904-1905.

This committee's attention having been called to the report of the committee appointed by the 30th General Assembly to report with reference to a single Board of Control, and the report of the committee with special reference to the Iowa State Normal School, the criticisms were called to President Seerley's attention and your committee asked him to make a statement with reference to said criticisms, and in response to the request, President Seerley came before the committee and made the following statement, which werespectfully submit to the consideration of the members of the 31st General Assembly.

To the Legislative Visiting Committee, Thirty-First General Assembly:

GENTLEMEN—Certain criticisms have been recently made on the State Normal School as regards its conduct and management, and I deem it nccessary to submit to you certain facts that will enable you to make such a report as will consider fully the needs and the interests of the institution for the next biennial period.

I. THE COURSE OF STUDY.

1. The first course of study published in the catalog of 1876-77 was incorporated in the report to the General Assembly in 1878. That course of study contained such subjects of study as Trigonometry, Surveying, Navigation, Spherical Trigonometry, Analytical Geometry, Calculus, English Classics, History of English Language, Chemistry, Mental Science, Zoology, Geology, Astronomy, Moral Science, Civil Liberty, Logic, History of England, Elocution, Industrial Drawing, Designing, etc., indicating the understanding that the first board of trustees had in reference to the province and the function of the school as a state institution.

2. The first board of trustees adopted two, three and four year course of study and authorized the conferring of the diplomas Bachelor of Arts in Education, Bachelor of Didactics and Certificate for completion of the two years course. This standard has not been changed in thirty years, the modifications and rearrangement of work have been introduced as experience has shown the necessity.

3. There has been universal acceptance of the term "common school" as used in the original founding act as meaning "the public school", and on this interpretation the course of study has been constructed. It does seem that thirty years of approval and endorsement should be sufficient to protect the management from the criticism of having made recent expensive modifications.

4. Manual training, domestic sciences, kindergartning, physical training and other lines founded and developed recently were not introduced

without consulting the legislature through reports to the Governor and through consideration of the same by the appropriation committees which have provided the means to successfully manage the work.

5. Taxidermy is not taught by class but is learned by going into the laboratory and assisting the teachers in the preparation of specimens for the museum. The subject is listed in order to give credit on science courses for such students as do successful work in that kind of work. This does not cost the school anything additional.

6. This work in elocution and its divisions (oratory, repertoire, dramatic work, etc.) has been conducted here since 1876 because it has been believed that training in speaking and reading English was an important part of puplic school work. This work is brought out in the literary society programs and is essential to a teacher's education. The Normal School was the first state school in Iowa to have courses developed in this line.

7. No subject is taught at the Normal School that is not required by teachers in some department of public school work. The determining of this is based upon the statutes defining all classes of teacher's certificates, the courses adopted by public schools and the demand of teachers who come to the Normal School to study.

8. The so-called elementary branches such as arithmetic, geography, English grammar, etc. are taught all students with special care by expert teachers who have made a specialty of this kind of teaching. These are required because they are fundamental lines in the public schools. Expert work in these phases of education is placed upon the same standard of qualification as is work of the secondary school branches.

II. THE INCREASE OF EXPENSE FROM 1895-96-TO 1904-05.

1. The management of the Normal School has from period to period presented the requests for appropriations in a business like way, making a statement of receipts and expenditures and also fully explaining in what way the appropriations asked would be expended. The kind of teachers and employes that would be needed with the salaries that would need to be paid have always been presented each time in detail. The president and the trustees have never done more than appear before the appropriation committee and file these statements and answer such inquiries as the members of the Assemblies have desired to ask. There has not been any lobbying or any asking of members to support these measures, and the money appropriated has been done without controversy or contention so far as the officers of the school have been a party. This is mentioned to show that what the school has been granted in building or support has been due to the conclusions of the General Assembly.

2. The expansion of the expenses made necessary for the support and development of the institution came from legislative action taken in 1894, 1896 and 1898, and each action occurred after the public presentation of the needs of the School as they were apparent at those times. In 1894-95 the buildings of the school consisted of those erected in 1868 and 1882. The school then had such numbers enrolled and the faculty was so small, that the membership of the classes instructed, consisted of from 50 to 75 students each. The work was not and could not be done in a creditable manner under the circumstances. The result was that the General Assembly made

provisions for erecting another building (the Administration Building, 1895) and for doubling the membership of the Faculty. This permitted the School to prosper and similar consideration was shown in 1898, 1900, 1902 and 1904, until the present buildings, equipment and Faculty were obtained. The result is a Normal School that has no superior in the United States in quantity or quality of public school teachers' courses.

3. The Normal School is required to train as well as instruct teachers. This demands the organization of training school department composed of primary and grammer schools. This department is necessary for efficient management of such work and has no part in adding students to the enrollment. The department costs this year in teachers' salaries $7,900.00. It is a strong department and has a decided effect upon the strength and success of the School. Without it the Normal School would become simply an institution to give instruction, which work is not sufficient to reach the standard necessary.

4. The Normal School requires compulsory physical training and has provided facilities that are essential to the health and physical development of the students. This department is a first class one in every particular and is performing well the service intended for and sorely needed by the Iowa teachers. There are four members of the Faculty in charge, they have full hours of service, their salaries amount to $4,800.00 a year and the enrollment is not increased by their employment as they are additional to the regular workers in the school. The results of this work more than convinces us of the wisdom of its adoption.

5. The last General Assembly provided means whereby teachers for manual training, domestic science and kindergartning could be instructed and trained. These departments being recent and undeveloped have added to the expense of the School for the two years without exhibiting a largely increased enrollment; yet they are doing well, as well as the limited time would permit to be accomplished and the friends of teacher education must be willing to give sufficient time to fully organize and develop the work of the same. It is well that such new undertakings go rather slow, as such a rate of procedure allows prudent management and moderate expenditures.

6. The opening and the developement of the summer term of the Normal School has increased the contingent expenses by one-sixth. These contingent expenses are paid out of the general support fund of the School and provide for the full year instead of nine school-months. This having the School in continual session has been wise because a large number of teachers have thus been privileged to make use of the equipment, laboratories and library of the school that could have otherwise been helped in their work.

III. OTHER THINGS CONSIDERED.

1. Students are admitted in two classes: (1) high school graduates, (2) holders of second-class certificates and courses of instruction are organized on these bases. The large majority of the students are pursuing the teacher certificate branches and other professional courses like methods, school management and psychology. Students of lower qualification are admitted to the training school department and prepared for second grade certificate standard.

2. The system of comparison that has been instituted to determine the cost per capita to the state for the several educational institutions is hardly a comparison as two bases of computation are used. It is worthy of notice that there is no way to make this comparison mathematically correct because records are not kept at any of the institutions that can be used for such computation. All schools have students who attend but part of a year, there being many causes for such change of intention. It is true that the Normal School students are probably more transient than those of the other institutions because of the vacation constantly demanding substitutes and school boards continually call upon the Faculty to assist them in finding competent teachers to supply unexpected vacancies. We think the Normal School should do what it can to thus meet public demand.

3. The Normal School is not conducted on the plan of employing cheap teachers for the Faculty. Every attempt has been made to get the strongest and best. It is true that the average professors' and assistant professors' salaries may be higher than many of the teachers at the other state schools, but it must be said that the Normal School work could not be successfully done by cheaper or less experienced teachers. Good efficient teachers should be paid for their services by fair salaries. Nothing beyond fair salaries are paid any teachers in the Faculty.

4. Students do not become kindergartners, primary teachers, grammar grade teachers or high school teachers because of the taking of a course of study. Their personal adaptability to the business must be first ascertained and the only way this can be determined is by the Faculty of the School. All teachers of every class need professional instruction and actual training in addition to scholarship. The scholarship of teachers needs to be specialized beyond the common courses usually granted by schools that give education beyond high schools. The Normal School is equipped to give both of these phases of preparation and its graduates have proven the wisdom of the organization.

5. The year 1904-05 was much depleted in attendance because of teachers going to the World's Fair at St. Louis. Also that year witnessed an unusua demand for elementary teachers, so that many would-be students accepted work when they would generally have come to school. All these things combined to give the School a smaller enrollment.

6. The Normal School does not keep any agent in the field, does not accept any but teachers as students, does not solicit attendance in any way, but does undertake to do so well by those who come to take its work that their service will advertise the merits of the School to the people of the State. It is regarded that by this method it will more nearly fulfill its mission as an educational institution.

7. The increase in the number of buildings has increased the neccssity for employes to care for and manage these buildings. From five, ten years ago, the number has increased to fifteen, but this latter number is just as fully employed as were the original number, and yet the keeping of the buildings has been greatly improved. Your attention is solicited to be given to this matter as it deserves recognition.

8. The Latin department has been criticised because it apparently cost more than the same department at the State University. It is probable that

the Normal Latin department handles more students, but even if that is not the case, yet it was overlooked that the two professors of Greek at the State University devote part of their time to teaching Latin, so that the comparison instituted is certainly based on fallacies.

9. The statement is made that the Normal School is the chief sinner as regards alleged duplication of work, and that the teachers education should not include some things taught at present. The Normal School has been a pioneer in many of these types of work, its courses are strongly patronized, its policy is conservative to the extreme, and it has no purpose to become either a college or a university. There are special marks that designate a college and a university. All of these marks are lacking at the Normal School, whether you consider the plan of instruction, the thoroughness required in each line or the spirit of the school.

10. The Trustees and Faculty will be glad to furnish any additional information that may be necessary to assist the members of the General Assembly in comprehending the work done by the State in its teachers' school. Every possible means has been used to develop a useful and a successful institution, and this policy has been maintained for thirty years. The General Assembly and the people of the State have shown such generosity in the past that the Normal School is pleased to submit its problem to them for decision.

Respectfully Submitted,

H. H. SEERLEY,

President.

The committee interrogated President Seerley as follows:

Senator Molsberry: President Seerley, how long has the department of manual training been in operation?

President Seerley: Two years.

Senator Molsberry: The manual training department was introduced to comply with the provisions of the statute that requires the teaching of manual training?

President Seerley: Yes, sir. The fact that the Legislature has gone on for thirty years and approved of the plan, or course of study, indicates that we have not been going on without authority in this thing. Not a single trustee is here that was here when the course was first planned, and there is just one man in the faculty who was here at that time. We undertake to give the students everything that they need, whether it is manual training, drawing, primary work, grammar work, or high school work. We are equipped to give it to them. This question was never raised before. As to the idea of duplication, we do not have anybody that wants to be in any line of work except teaching by intention.

Senator Molsberry: Has this duplication assisted you in getting students?

President Seerley: It has not. We never ask anybody to come. We never send out anyone to try and get students. We do not have agents in the field. I never write a letter to a single person asking him to come. I ask them on what condition they can come here. I say it with pride that they can not go any other place and do better. Many students are simply

told that this is not the place for them to come. There are ten times as many under-graduates as graduates. We have about 450 working in high schools alone.

Representative Gregory: Has the attendance increased since you have introduced these new branches?

President Seerley: We have not had time with manual training yet to tell. Physical training did not increase the attendance at all.

Representative Gregory: What per centage of your students go out as teachers?

President Seerley: Nearly all. We have a few studying medicine and some studying law; but a large number turn back and teach. No roll is kept. We do not know the average attendance.

Senator Molsberry: The summer school was organized a number of years prior to the summer schools at the other institutions?

President Seerley: Yes, sir. It was organized three years before the State appropriated anything. I have no personal protest about the report of the committee appointed by the 30th General Assembly.

Senator Molsberry: Has your attendance increased gradually until the World's Fair year?

President Seerley: Yes, and since then. I want to say and to have you understand that I have no antipathy for the other institutions.

Senator Molsberry: Your short course teachers are not included in the enrollment?

President Seerley: We have to report the number enrolled. Everybody that gets on to the books is enrolled.

Senator Molsberry: When was the domestic science department started?

President Seerley: Last Year. Not authorized by statute, but an appropriation was made for it by the General Assembly.

Senator Harper: What is your present attendance, winter term?

President Seerley:

Teachers in training	1,053	
Students of grade below second class certificate, being prepared for that qualification	132	
		1,185
Grammer Grade-Training school, regular public school pupils	131	
Primary Grade-Training school, regular public school pupils	41	
Kindergarten pupils	21	
		193
Total attendance, at the present time, January 1903		1,378

Senator Harper: Under what authority do you receive public school pupils?

President Seerley: They are accepted under authority of section (2678) of the code.

Senator Harper: What would be the disposition of the money raised under the new millage tax requested for the second term of five years?

President Seerley: New building, to be erected south of present buildings, so constructed as to balance effect of the present Auditorium building.

Building and Equipment	$ 150,000.
Manual Training Building and Equipment	85,000.
Hospital for temporary care of students	10,000.
Extension of Steam Plant and coal sheds	15,000.
Minor Buildings, such as shops, fire apparatus building, residence for superintendent, store house	15,000.
General Equipment and Repairs to 1912	50,000.
	$ 325,000.

Senator Harper: Explain why you employed an architect of your own selection, to prepare plans and specifications for the auditorium building.

President Seerley: We asked the state architect of the Board of Contro to furnish plans and estimates to place before the General Assembly and were informed that it would be necessary for the State Normal School to pay for such work out of the funds of the school as no provision was made by law to pay for such special work and having no funds that could be legally used to do such preliminary work the request was made of the General Assembly without plans or estimates and an oral explanation was made to the Appropriation Committee. Since the Normal School was obliged to pay for an architect's services, the work was placed in competiton, the result of which being that Proudfoot & Bird submitted the most satisfactory plans and were selected as architect.

Respectfully submitted,

S. H. HARPER,
F. M. MOLESBERRY,
R. H. GREGORY,
J. F. MORRIS,
WILL WHITING,

January 18th., 1906.

Ordered passed on file.

Senator Young, of Calhoun. moved that we do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, January 20, 1906.

Senate met pursuant to adjournment at 9:30 A. M., President Herriott presiding.

Prayer was offered by the Rev. Mary A. Safford, of Des Moines, Iowa.

On request of Senator Jones leave of absence was granted Senator Young of Calhoun, until Tuesday.

On request of Senator Gillilland leave of absence was granted Senator Whipple until Monday.

On request of Senator Stookey leave of absence was granted Senator Jamison until Monday.

On request of Senator Hayward leave of absence was granted Senator Bruce for the day.

INTRODUCTION OF BILLS.

By Senator Dowell, Senate file No. 57, a bill for an act to regulate the employment of child labor and to provide for the enforcement thereof, additional to chapter eight (8) title twelve (12) of the code.

Read first and second time and referred to committee on Judiciary.

By Senator Newberry, Senate file No. 58, a bill for an act making an appropriation for the purchase of forty-five thousand (45,000) railroad commissioner's official maps to be distributed by the members of the General Assembly and railroad commissioners.

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

By Senator Smith of Mitchell, Senate file No. 59, a bill for an act to amend Section twenty four hundred and fifty, (2450), of the code relating to the sale of intoxicating liquors under the mulct law.

Read first and second time and referred to committee on Suppression of Intemperance.

By Senator Turner, Senate file No. 60, a bill for an act to amend section fourteen hundred and seven (1407) of the code relating to the collection of delinquent taxes.

Read first and second time and referred to committee on Judiciary.

By Senator Ericson, Senate file No. 61, a bill for an act to amend section seven hundred and thirty two (732) of the supplement to the code relating to the levy of taxes for library purposes.

Read first and second time and referred to committee on libraries.

By Senator Gale, Senate file No. 62, a bill for an act to amend section six hundred and twenty two (622) of the code in relation to the severance of territory from towns and cities.

Read first and second time and referred to committee on Judiciary.

Senator Smith of Mitchell asked unamimous consent for the withdrawal of Senate file No. 56.

Granted.

The Journal of yesterday was taken up, corrected and approved.

Senator Dowell moved that when the Senate adjourn it be until 2 P. M. Monday.

Carried.

A committee appeared from the House and announced that the House was ready to receive the Senate in joint convention.

The President announced that the Senate would proceed to the House for the purpose of attending the joint convention.

The Senate proceeded to the House to meet in joint convention.

JOINT CONVENTION.

President Herriott called the joint convention to order and the roll was called, the following named members responded:

Bailey, Bixby, Bleakly, Boland, Brooks, Bruce, Buckingham, Calderwood, Carden, Carstenson, Cassel, Chassell, Cheney, Christianson, Clary, Cobb, Coburn, Colclo, Conn, Courtright, Crose, Crawford, Cummings, Crossley, Dashiell, Davie, DeMar, Doran, Dowell, Dow, Dunham, English, Epperson, Elerick, Ericson, Flenniken, Freeman, Gale, Garst, Geneva, Gillilland, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harper, Hart, Hartshorn, Head, Hasselquist, Hayward, Hogue, Hume, Hopkins, Hughes, Jacobson, Jepson, Jamison, Jones of Montgomery, Jones of Mahaska, Kennedy, Kimmel, Kling, Kinne, Laird, Lambert, Leech, Lewis, Lowrey, Lundt, Lyons, McAllister, Maytag, McClurkin, McCreary, McCulloch, McDole, McElrath, McNie, Maben, Martin, Mattes, Meredith, Molesberry, Mott, Nichols, Newberry, Olson, Peet, Powers, Pritchard, Ritter, Robinson, Sankey, Saunders, Smith of Des Moines, Smith of Mitchell, Skinner, Spaulding of Howard, Spaulding of Floyd, Springer, Stanbery, Stirton, Stoltenberg, Stookey, Summers, Stuckslager, Teachout, Taylor, Teter, Turner, Wade, Washburn, Warren, Weeks, Whipple, Whiting, Wilson of Fayette, Willson of Washington, Wilson of Clinton, Wise, Winne, Wyland, Young of Lee.

The doorkeeper here announced the committee on arrangements together with the guests of the General Assembly, who were escorted to the chairs at the Speaker's desk.

President Herriott presented Speaker pro tem Cummings, who in a few well chosen remarks, presented ex-Governor Larrabee, the guest of honor of the General Assembly, to the joint convention.

At the conclusion of the address of ex-Governor Larrabee, President Herriott presented ex-Governor Jackson and Governor Cummins, who spoke briefly.

President Herriott then presented Maj. S. H. M. Byers, who read an original poem.

On motion the remarks of the Speakers and the poem were ordered printed in the Journal.

(Owing to the inability to get correct transcripts of the several speeches and the poem in time for insertion in this part of the Journal, they will be inserted at the end of the complete Journal, as has been the custom in regard to previous similar occasions.)

The reading of the minutes of the joint convention was dispensed with by unanimous consent.

On motion of Senator Lewis the joint convention dissolved.

The Senate returned from joint convention and was called to order by President pro tem Smith of Mitchell.

The time having arrived, the President pro tem declared the Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, January 22, 1906.

Senate met pursuant to adjournment, President Herriott presiding.

Prayer was offered by the Rev. Charles Lee Reynolds, of Des Moines, Iowa.

On request of Senator Newberry leave of absence was granted Senator Courtright indefinitely.

On request of Senator Gillilland leave of absence was granted Senator Whipple indefinitely.

On request of Senator Bleakly leave of absence was granted Senator Jackson until to-morrow.

PETITIONS AND MEMORIALS.

Senator Stirton presented petition of one hundred and thirty constituents petitioning for equal suffrage for women.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Crawford presented petition of ten citizens of the city of Dubuque in favor of state appropriation of two thousand dollars for the support of the house of refuge in said city.

Referred to committee on Charitable Institutions.

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 bill, in which the concurrence of the Senate is asked:

House file No. 28, a bill for an act to legalize the incorporation of the town of Elkhart, Polk county, Iowa, the election of its officers, the passage and record of its ordinances and resolutions and all acts done by the council of said town.

C. R. BENEDICT,
Chief Clerk.

Also.

MR. PRESIDENT—I am directed to imform your honorable body that the House has adopted the report of the joint committee appointed to arrange for the reception of former governor Wm. Larrabee.

C. R. BENEDICT,
Chief Clerk.

Also.

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

Concurrent resolution relative to furnishing each member of the 31st General Assembly with the code, and supplement to the code, and the session laws of the 29th and 30th General Assemblies.

C. R. BENEDICT,
Chief Clerk.

On request of Senator Hopkins leave of absence was granted Senator Hartshorn for the day.

On request of Senator Stookey leave of absence was granted Senator Jamison for the day.

On request of Senator Hughes leave of absence was granted Senator Wade until tomorrow.

On request of Senator Smith of Des Moines leave of absence was granted Senator Lambert until tomorrow.

On request of Senator Turner leave of absence was granted Senator Brooks until tomorrow.

INTRODUCTION OF BILLS.

By Senator Newberry, Senate file No. 63, a bill for an act relative to injuries received on streets, alleys, sidewalks, crossings or bridges of cities or incorporated towns.

Read first and second time and referred to committee on Judiciary.

By Senator Molsberry, Senate file No. 64, a bill for an act to repeal section two thousand five hundred and ninety (2590) of the code and supplement to the code, and to insert a substitute therefor, relative to the examination of pharmacists and their assistants.

Read first and second time and referred to committee on Pharmacy.

By Senator Young of Lee (by request), Senate file No. 65, a bill for an act to make money lost at gambling a lien on the real estate and premises so used.

Read first and second time and referred to committee on Judiciary.

By Senator Dunham, Senate file No. 66, a bill for an act providing for a uniform policy to be used by all fire insurance companies doing business in the State of Iowa.

Read first and second time and referred to committee on Insurance.

By Senator Stookey, Senate file No. 67, a bill for an act making it a crime to offer or promise money, property, or anything of value, or gift or gratuity to an agent, employee, or servant without the knowledge or consent of the principal, employer, or master of such agent, employee or servant, with intent to influence his actions in relation to his principal's, employer's or master's business, or an agent, employee, or servant, who without the knowledge and consent of his principal, employer or master, requests or accepts a gift or gratuity or a promise to make a gift or do any act beneficial to himself under an arrangement or understanding that he shall act in any particular manner as to his principal's, master's or employer's business shall be guilty of a crime.

Read first and second time and referred to committee on Judiciary.

By Senator Gale, Senate joint resolution No. 2, joint resolution proposing amendments to the constitution of Iowa relative to suffrage and to provide for its reference and publication.

Read first and second time and referred to committee on Constitutional Amendments and Suffrage.

By Senator Hayward, Senate file No. 68, a bill for an act amending the law as it appears in Section one thousand seven hundred and nine (1709) of the supplement to the code relating to insurance other than life.

Read first and second time and referred to committee on Insurance.

By Senator Garst, Senate file No. 69, a bill for an act to provide for the cutting of weeds on the public roads amendatory to title eight (8) chapter two (2) of the code, in relation to working roads.

Read first and second time and referred to committee on Highways.

THIRD READING OF BILLS.

On motion of Senator Gillilland, Senate file No. 15, a bill for an act to amend section four thousand nine hundred and thirty six (4936) of the code, relating to incest, with report of committee recommending passage was taken up, considered, and the report of the committee, adopted.

Senator Gillilland moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jones, Kimmel, Kinne, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Washington—39.

The nays were:
None.

Absent or not voting:
Brooks, Courtright, Gale, Hartshorn, Jackson, Jamison, Lambert, Maytag, Wade, Whipple, Young of Calhoun—11.

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

HOUSE MESSAGES CONSIDERED.

House file No. 28, a bill for an act to legalize the incorporation of the town of Elkhart, Polk county, Iowa, the election of its officers, the passage and record of its ordinances and resolutions and all actions done by the Council of said town.

Read first and second time and referred to committee on Judiciary.

Senate concurrent resolution relative to reception committee in the matter of the reception of former Governor William Larrabee.

Passed on file.

Concurrent resolution relative to furnishing members of the General Assembly with copies of the code, and session laws of the 29th and 30th General Assemblies.

Passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator D. W. Turner, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT— Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate joint resolution No. 1, a resolution relating to the selection of additional employes of the Thirty-first General Assembly, fixing their compensation and defining their duties.

DAN W. TURNER,
Chairman,

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turner from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT— Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate joint resolution file No. 1, a resolution relating to the selection of additional employes of the Thirty-first General Assembly, fixing their compensation and defining their duties.

DAN TURNER,
Chairman Senate Commiteee.
H. L. SPAULDING,
Chairman House Committee.

Ordered passed on file.

The Journal of Saturday was taken up, corrected and approved.

By unanimous consent.

On motion of Senator Molsberry, Senate file No. 26, a bill for an act to legalize the acts of the "People's Bank" and the acts of the same corporation under the name of the "People's State Bank" located at West Liberty, Iowa, and to provide for filing

its renewal certificate with the Secretary of State, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Molsberry moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Crawford, Crossley. Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hasselquist, Hayward, Hopkins, Hughes, Jones, Kimmel, Kinne, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Washington—38.

The nays were:

None.

Absent or not voting:

Brooks, Courtright, Hartshorn, Hogue, Jackson, Jamison, Lambert, Maytag, Turner, Wade, Whipple, Young of Calhoun —12.

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

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Concurrent resolution relating to publishing ten thousand (10,000) copies of the report of the Board of Control on the extent of tuberculosis in Iowa, the best means of prevention and treatment thereof.

Resolved by the House, the Senate concurring: That ten thousand (10,000) copies of the report of, the Board of Control of state institutions on the extent of tuberculosis in Iowa, and the best means of prevention and treatment of the disease be published in pamphlet form for distribution.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

House concurrent resolution relative to publishing report of Board of Control on the extent of Tuberculosis in Iowa.

Referred to committee on Printing.

Senator Elerick moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, January 23, 1906.

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. Arnold E. Moody, of Oelwein, Iowa.

On request of Senator Wilson of Fayette leave of absence was granted Senator Jackson for the day.

On request of Senator Turner leave of absence was granted Senator Brooks for the day.

PETITIONS AND MEMORIALS.

Senator Young of Lee, presented petition of voters and taxpayers of Lee county, asking for a change in the law pertaining to telephone and telegraph companies.

Referred to committee on Telegraphs and Telephones.

INTRODUCTION OF BILLS.

By Senator Stookey, Senate file No. 70, a bill for an act to amend section four hundred twelve (412) of the code in relation to the times of the meetings of the Board of Supervisors.

Read first and second time and referred to committee on Judiciary.

By Senator Smith of Mitchell, Senate file No. 71, a bill for an act to amend section three thousand five hundred forty (3540) of the code, in relation to the publication of original notices in commencement of actions against unknown defendants, and length of publication.

Read first and second time and referred to committee on Judiciary.

By Senator Jones, Senate file No. 72, a bill for an act to amend section thirty-one hundred and seventy-three (3173) of the code, relating to divorces.

Read first and second time and referred to committee on Judiciary.

By Senator Crawford, Senate file No. 73, a bill for an act excepting cities and towns, including cities incorporated under special charters, from liability for injury or damages to person or property, received or suffered upon a public highway, by reason, or in consequence of snow or ice thereon.

Read first and second time and referred to committee on Judiciary.

By Senator Crawford, Senate file No. 74, a bill for an act making an appropriation for the Dubuque Rescue Home at Dubuque Iowa.

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

By Senator Young of Calhoun, Senate file No. 75, a bill for an act to amend section two thousand five hundred sixty-seven (2567) of the code so as to include the reporting of divorces and to change the time of reporting marriages and divorces to the State Board of Health.

Read first and second time and referred to committee on Public Health.

By Senator Young of Calhoun, Senate file No. 76, a bill for an act to amend section two thousand five hundred seventy-six (2576) of the code so as to change the dates of the meetings of the state board of Medical Examiners.

Read first and second time and referred to committee on Public Health.

By Senator Gillilland, Senate file No. 77, a bill for an act amending section three thousand one hundred and eighty-one (3181) of the code, relating to divorces.

Read first and second time and referred to committee on Judiciary.

By Senator Warren, Senate file No. 78, a bill for an act making an appropriation for the Department of Agriculture for the erection of a permanent steel amphitheatre on the state Fair Grounds.

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

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—Im am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate file No. 26, a bill for an act to legalize the acts of the "Peoples Bank" and the acts of the same corporation under the name of the "Peoples State Bank" located at West Liberty, Iowa, and to provide for filing its renewal certificate with the Secretary of State.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 2, a bill for an act to legalize special election of the city of Clinton, on March 28th, 1901, granting certain rights to the Clinton Gas Light and Coke Company.

C. R BENEDICT,
Chief Clerk.

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:

House file No. 37, a bill for an act to legalize the incorporation of the town of Lidderdale, Carroll county, Iowa, the election of its officers the passage of its ordinances and resolutions, and all its acts done by the council of said town.

C. R. BENEDICT,
Chief Clerk.

Also:

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:

CONCURRENT RESOLUTION.

Requesting the Senators and Representatives in the Congress of the United States from Iowa to do certain things in reference to transportation charges.

CONCURRENT RESOLUTION requesting our Senators and Representatives in Congress to use their influence and votes to procure the passage of a law bestowing upon the Interstate Commerce Commission of the United States the power to fix and regulate transportation charges.

WHEREAS, The amount to be paid for transporting freight in this country, and the power to fix and determine the same, is a problem of great importance to all our people and should be so adjusted and determined as to be just and fair to those who pay, and just and reasonable to those who receive and earn it, the determination of this matter should be by a tribunal competent, just, and whose judgements would be accepted as fair and and, impartial,

WHEREAS, There has been established and is now maintained by the Government of the United States a Commission known as the Interstate Commerce Commission, we believe this Commission to be the proper tribunal to have and apply the power of fixing and maintaining all rates for interstate transportation of freight in this country, subject to such rights of judicial inquiry as will give justice to all; therefore

Be it resolved by the House, the Senate concurring, That Honorable William B. Allison and Honorable Jonathan P. Dolliver, United States Senators, together with all the members of the House of Representatives in Congress from the State of Iowa, be and they are hereby respectfully requested to use their influence, and to so vote, as to secure the passage of a law whereby the Interstate Commerce Commission will be empowered to fix and establish interstate freight rates and charges, subject to such rights of review by the courts as may be proper and equitable.

C. R. BENEDICT,
Chief Clerk.

Senator Ericson offered the following concurrent resolution.

CONCURRENT RESOLUTION.

Be it resolved by the Senate, the House concurring,

WHEREAS, The Louisiana Purchase Exposition Commission has made its report to the governor; published its said report for distribution; paid all bills contracted; finished the work for which it was created, and having a balance unexpended from the state appropriations, therefore,

Be it resolved by the Senate, the House concurring, That the unexpended balance of $17,295.59 be and the same is hereby covered into the general fund of the state.

Laid over.

HOUSE MESSAGES CONSIDERED

Senate file No. 26, a bill for an act to legalize the acts of the "Peoples Bank" and the acts of the same corporation under the name of the Peoples State Bank located at West Liberty, Iowa, and to provide for filing, its renewal certificate with the Secretary of the State.

Passed on file.

Senate file No. 2, a bill for an act to legalize special election of the City of Clinton on March 28th, 1901, granting certain rights to the Clinton Light and Coke Company.

Read first and second time and referred to committee on Judiciary.

Concurrent resolution requesting the Senators and Representatives in the congress of the United States from Iowa, to do certain things in reference to transportation charges.

Referred to the committee on Federal Relations.

House file No. 37, a bill for an act to legalize the incorporation of the town of Lidderdale, Carroll county, Iowa, the election of its officers, the passage of its ordinances and resolutions and all its acts done by the council of said town.

Read first and second time and referred to committee on Judiciary.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate joint resolution No. 1, a joint resolution relating to the selection of additional employes of the Thirty-first General Assembly, fixing their compensation and defining their duties.

DAN TURNER,
Chairman.

REPORT OF COMMITTEE.

Senator Dowell, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 28, a bill for an act to legalize the incorporation of the town of Elkhart, Polk county, Iowa, the election of its officers, the passage and record of its ordinances and resolutions, and all acts done 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 same do pass.

C. C. DOWELL,
Chairman.

THIRD READING OF BILLS.

By unanimous consent.

On motion of Senator Dowell, House file No. 28, a bill for an act to legalize the incorporation of the town of Elkhart, Polk county, the election of its officers, the passage and records of its ordinances and resolutions and all acts done by the council of said town with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Dowell moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed. and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—42.

The nays were:

None.

Absent or not voting:

Brooks, Courtright, Hogue, Jackson, Jamison, Spaulding, Stuckslager, Turner—8.

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

Senator Wilson of Clinton from the special committee appointed to visit the Hospital for the Insane at Independence, Iowa, submitted the following report and asked that it be printed in the Journal.

REPORT OF SPECIAL COMMITTEE TO VISIT HOSPITAL FOR INSANE AT INDEPENDENCE, IOWA.

To the President of the Senate, Speaker of the House and Members of the Thirty-first General Assembly of the State of Iowa,

Your joint committee appointed to visit the Hospital for the Insane at Independence, Iowa, beg leave to submit the following report:

Your committee all personally visited the hospital in a body on January 16, 1906, and made as thorough and complete investigation as it was possible to do.

The Board of Control submitted to us an itemized statement of the amounts recommended and asked for by them as follows:

INDEPENDENCE STATE HOSPITAL.

To extend heating and ventilating system	$ 5,000.00
To rebuild north wing of greenhouse	2,000.00
For a deep well, pump house, pumps and connections	12,000.00
For painting	2,000.00
For flooring	3,000.00
For laundry equipment and dry room	3,500.00
For tile and tile draining	3,000.00
For a new roof for coal house	800.00
For new boilers, settings and connections	12,000.00
For a new engine and generator	6,000.00
For tunnel from boiler house to Grove Hall and Farmers' Lodge	4,000.00
For wood-working machinery	1,000.90
For barn for cows	4,000.00
For a brick horse barn	5,000.00
For moving and changing old horse barn to an implement house	1,200.00
For a hospital building and for equipment and furnishing	100,000.00
For a contingent and repair fund	12,000.00
Total	$177,500.00

HEATING AND VENTILATING SYSTEM.

We find that there is an unquestioned demand and necessity for additiona heating and ventilating apparatus, and we would recommend that an appropriation be made for that purpose in the amount asked by the Board of Control, or in such other amount as may be found necessary.

GREEN HOUSE.

We find that it will be necessary to replace the north wing of the green house at some future time, and we think that when done that the frame work of the structure ought to be made of metal. We believe, however, that for the present with occasional necessary repairs, the present structure will answer every purpose, and we would therefore recommend that the appropriation asked for be not granted at this time.

DEEP WELL, PUMP HOUSE, ETC.

On account of the stormy condition of the weatherlimited time at our command, we do not feel that we were able to make as thourough and as complete investigation of this subject as we would have liked to have done. We find that the hospital is now supplied with water from the city water works at Independence, and while they have had some trouble occasionally in getting a sufficient supply of good pure water, we believe that generally speaking they have been supplied as well as could be expected from any system. We were informed and told that the city of Indepedence has recently made provisions for increased supply of water, and for the present we would recommend that the appropriation asked for for the deep well, pump house, etc., be not granted.

PAINTING.

We find that there is a necessity for painting, both exterior and interior painting, of all buildings, and we would recommend that an appropriation of $2,000.00 be made for that purpose.

FLOORING.

We find many of the floors to be in an unsanitary and bad condition and that many of the floors ought to be repaired, and others ought to be replaced by new floors and we would recommend that an appropriation of $2,000.00 be allowed for that purpose.

LAUNDRY.

We find that there is an absolute necessity for additional equipment in the laundry department for the purchase of new washing machines, and for a dry room and we would recommend that an appropriation be made for that purpose in such amount as may be found necessary.

TILE AND TILE DRAINING.

As the ground was covered with snow, we do not feel that our investigation of this subject would justify us in making an absolute recommendation. We therefore refer the matter to your Honorable Body without recommendation,

ROOF FOR COAL HOUSE.

The roof of coal house is entirely worthless and there is an immediate necessity for a new roof and we would recommend an appropriation for the same to be made in the amount asked.

BOILERS, ETC.

We find several of the boilers in very bad condition and some entirely worn out, worthless and dangerous to use, and we would recommend that an appropriation be made in the amount asked by the Board of Control.

ENGINE AND GENERATOR.

We find it very desirable that a new engine and generator be provided. While we do not feel that there is absolute necessity for this at this time, we believe it would be for the best interest of the State and the institution if an appropriation be made for same.

TUNNEL.

We find that while there is not an absolute necessity at this time for the construction of a tunnel from the boiler house to Grove Hall and other buildings, as asked for, yet we beleive that it would be economical and for the best interest of the State and institution that an appropriation be made for that purpose, but the same can be deferred to some future time, if it is found advisable or necessary without any serious loss to the State or institution in so doing.

WOOD-WORKING MACHINERY.

The institution has a building in which wood-working is carried on and many of the inmates have employment at this work. We think it a very wise provision and arrangement to not only continue, but extend this feature as much as possible, and we would recommend that the appropriation asked for be allowed for the purchase of additional machinery.

COW BARN.

We find that there is not sufficient room for the accommodation of the cows and cattle owned by the State and used in connection with the institution, and believe there is an absolute necessity for an appropriation for an additional cow barn, and we would therefor recommend the same.

HORSE BARN,

We find that there is not sufficient room for the horses necessarily kept by the State at the institution and that the horses are now kept in old shacks and buildings that are entirely unfit for the purpose, and that in the main barn they are compelled to use the basement underneath the horses for the storage of vegetables. We also find that the present barn

is so situated that it is a detriment and dangerous to the health and sanitary condition of the institution and the inmates. We would strongly recommend that an appropriation be made for a good substantial new horse barn and that it be located farther from the main building than the present old barn is located. We do not concur in the opinion of the Board of Control and Superintendent for the removal of the old horse barn. It is quite a substantial building with a good solid foundation, and we think it ought to be repaired and painted and rearranged so as to use the same for the storage building for implements and such other articles as may be found necessary for the institution. We would not advise any appropriation for removing the building, but would recommend that some amount be allowed for making immediate changes to be taken from the contingent fund, or otherwise, as may be found most advisable.

NEW HOSPITAL BUILDING.

We find that the State Hospital is very crude and that they really need more room at the present time for the accommodation of the nearly eleven hundred inmates that they now have at the institution. We believe, however, that the removal of the inebriate patients to the new institution at Knoxville will relieve the situation at the present time, and we would therefor recommend that the appropriation for the new building be not granted.

CONTINGENT AND REPAIR FUND.

We are of course abundantly satisfied that a liberal amount ought to be allowed for a contingent and repair fund, but as we understand that the appropriation committee will investigate as to the amount of same, we simply recommend the appropriation without fixing any amount.

THE INSTITUTION AND ITS MANAGEMENT.

Your committee is unanimous in the statement that they are greatly pleased with the institution and its management.

The institution is simply magnificent in its structure, its location, surroundings and management. We believe that the Board of Control has wisely managed its affairs and that they are entitled to great credit, and we find absolutely nothing to criticise.

We cannot close this report without special mention of Superintendent Crumbacker. We found that he was, and is, thoroughly acquainted with all the details pertaining to the entire management of the institution, and that he is most ably assisted by his wife. He is certainly the right man in the right place.

All of which is respectfully submitted,

J. L. WILSON,
JAS. E. BRUCE,
ROBERT M. WRIGHT,
THOMAS GENEVA,
ABRAHAM JACOBSON.

Referred to committee on Appropriations.

The Journal of yesterday was taken up, corrected and approved.

Senator Young of Lee, moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, January 24, 1906

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. William Boynton Gage of Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Molsberry presented petition of forty citizens of Muscatine in favor of the modification of existing law, so as to enable cities and towns to determine the terms upon which telephone companies may use the streets.

Referred to committee on Cities and Towns.

INTRODUCTION OF BILLS.

By Senator Dowell, Senate file No. 79, a bill for an act to amend section two thousand seven hundred ninety-nine (2799) of the code, relating to uniting independent school districts.

Read first and second time and referred to committee on Schools.

By Senator Dowell, Senate file No. 80, a bill for an act making an appropriation for the Benedict Home at Des Moimes, Iowa.

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

By Senator Young of Washington, Senate file No. 81, a bill for an act amending section two thousand six hundred eighty-five (2685), of the code and the supplement to the code relating to admission to the Iowa Soldiers Orphans Home.

Read first and second time and referred to committee on Military.

By Senator Smith of Des Moines, Senate file No. 82, a bill for an act to legalize the action of the Board of Supervisors of Des Moines county, Iowa, relating to the sale of school lands in section sixteen (16), township seventy one (71), north of range one (1), west of the fifth principal meridian and to authorize the Governor to issue a patent therefor to the heirs of John Olson.

Read first and second time and referred to committee on Judiciary.

By Senator Saunders, Senate file No. 83, a bill for an act to prohibit and regulate hospital, hospital ward institutions and places, created for or maintained and used as lying in or maternity hospitals or hospital wards or places for the reception, care and treatment of women in labor.

Read first and second time and referred to committee on Judiciary.

By Senator Saunders, Senate file No. 84, a bill for an act to make appropriations for construction, improvement, repair and contingent funds for the Iowa School for the deaf.

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

Senator Ericson called up the concurrent resolution offered by him yesterday relative to the balance of seventeen thousand two hundred ninety-five dollars and fifty-nine cents ($17,295.59) held by the Louisiana Purchase Exposition Commission.

Senator Ericson moved the adoption of the concurrent resolution.

Adopted.

Senator Brooks from the special committee appointed to visit the Hospital for the Insane at Clarinda, Iowa, asked unaminous consent, that the time for the filing of the committee report be extended until Monday.

Consent granted.

Senator Elerick from the special committee appointed to visit the Soldiers Home at Marshalltown asked that the time for the filing of the committee report be extended on account of the sickness of Representative Bealer.

Consent granted.

Senator Wilson of Fayette, from the special committee appointed to visit the Industrial School at Eldora, Iowa, asked unanimous consent that the time for the filing of the committee report be extended until tomorrow.

Consent granted.

Senator Turner from the special committee appointed to visit the college for the Blind at Vinton, Iowa, asked unanimous consent that the time for the filing of the committees report be extended until tomorrow.

Consent granted.

Senator Stookey, from the special committee appointed to visit the Hospital for the Insane at Mt. Pleasant, Iowa, asked unanimous consent that the time for the filing of the committee report be extended until tomorrow.

Consent granted.

Senator Lyons from the special committee appointed to visit the Institution for the Feeble Minded at Glenwood, Iowa, asked unanimous consent that the time for the filing of the committee report be extended until tomorrow.

Consent granted.

Senator Kinne from the special committee appointed to visit the Inebriate Asylum at Knoxville, Iowa, submitted the following report and asked that it be printed in the Journal.

To the President of the Senate and the Speaker of the House of Representatives, Thirty-first General Assembly.

Your joint committee to visit the State Hospital for Inebriates at Knoxville begs leave to make the following report:

We visited the Hospital on January 15th, 1906, and were pleased with the location and buildings recently erected.

We find that the Board of Control has caused to be erected a substantial administration buildiug, which in our judgment, meets the requirements admirably. They have also erected a large detention building with three floors and basement, of fire proof construction, being built of brick and cement. This building will accommodate one hundred inmates, and is modern in arrangement and detail. There has also been a substantial brick and cement power-house erected which supplies the heat and light. It is modern and well adapted to the requirements of the institution.

The old building that was erected several years ago for the "Industrial Blind" and abandoned, has been thoroughly remodeled, and will accommodate one hundred inmates. The main dining rooms are located in this building; also the room to be used for chapel purposes. This building is

to be occupied by the more tractable patients, as there are no bars at the windows, and the patients cannot be confined as securely as in the new building.

We deem it advisable that an independent water plant be constructed as soon as possible, as the quality of the water now being used is not satisfactory, and at times is insufficient for fire protection.

We would also recommend that a sewage disposal plant be installed as soon as practicable, as the present method of disposition of sewage is inadequate.

We find that there is no suitable fire protection, and recommend that the suggestion of the Board of Control in regard thereto be followed.

We also concur in the recommendation of the Board of Control concerning the telephone system, seating of chapel, additional equipment and generating unit.

We find that the land belonging to the home for the "Industrial Blind" consisted originally of fifty acres. The Board of Control have purchased additional tracts of land adjoining, aggregating one hundred and thirteen acres, making the total amount of land now belonging to the Hospital, one hundred and sixty three acres. A considerable amount of this land is very level and needs tile draining. On sixty acres of the additional land purchased, was located a race track; that in making the race track considerable grading was done, both in fills and cuts. In order to make this tract serviceable for farming purposes it will be necessary to remove this grading, which will require considerable expense; also around the buildings considerable grading will be required. We are of the opinion that much of the labor of this grading can be performed by the inmates, which will greatly lessen the expense to the State, provided the necessary teams and tools are furnished.

Your committee heartily approves the purchase of the several tracts of land, and especially that of the sixty acres on which the race track was located, which is situated immediately in front of the buildings. It removes that which otherwise might prove an obnoxious feature in the neighborhood.

We believe that the furthur purchase of land, recommended by the Board of Control, should be deferred.

There are certain out-buildings that are needed, among these is a barn for horses and cattle, a granary, and hog-house.

We recommend that a sufficient number of horses, cows, hogs, poultry, farm and other implements, furniture and equipments for the buildings be purchased.

Dr. Willhite, the Superintendent of the Hospital, although comparatively a young man, has had extensive experience in some of the Charitable Institutions of this and other States, and the committee believes that he is thoroughly equipped and competent to discharge the duties of Superintendent.

We would recommend the following appropriations for the ensuing year:

For a sewage disposal plant	$ 4,600.00
For water supply, equipment and connections	16,500.00
For fire protection	2,000.00
For barn, hog-houses and granary	4,000.00
For grading, walks and improvements of grounds	3,000.00
For a telephone system	900.00

For fencing	500.00
For tile drainage	600.00
For seating chapel	500.00
For additional equipment	6,000.00
For a generating unit	2,500.00
For a contingent and repair fund	2,500.00
Total	$34,600.00

Respectfully submitted,

GEO. KINNE,
B. W. NEWBERRY,
JOHN MCALLISTER,
C. A. WISE,
HENRY RITTER,

Senator Lewis moved that 1000 extra copies of Senate file No. 39 be printed.

Carried.

Senator Warren moved that 300 extra copies of Senate file No. 30 be printed.

Carried.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Turner from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 26, a bill for an act to legalize the acts of the "People's Bank" and the acts of the same corporation under the name of the "People's State Bank", located at West Liberty, Iowa, and to provide for filing its renewal certificate with the Secretary of State.

D. W. TURNER,
Chairman,

Ordered passed on file.

Journal of yesterday was taken up, corrected and approved.

Senator Kinne moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, January 25, 1906.

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. W. E. Berg of Douds-Leando, Iowa.

On request of Senator Dowell leave of absence was granted Senator Saunders for the day.

PETITIONS AND MEMORIALS.

Senator Winne presented petition of A. M. Barnett of Webster City against increased tax on the sale of medicines.

Referred to committe on Ways and Means.

Senator Whipple presented petition of fifty-five citizens in support of a State Marshal's law.

Referred to committee on Suppression of Intemperance.

Senator Stuckslager presented petition of sixty-seven citizens in favor of the passage of a State Marshal's law.

Referred to committee on Suppressionof Intemperance.

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. 71, a bill for an act to amend section two hundred and fifteen (215) of the code relative to the distribution of reports of the Supreme Court.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 24, a bill for an act to legalize the incorporation of the town of Harvey, Marion county, Iowa, the publication of notices thereof and ordinances passed.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 23, a bill for an act to legalize the action of the Independent School District of West Des Moines, Polk County, Iowa, in voting bonds at an election held on the 13th day of March, 1905, and legalizing the bonds issued by said school district under said election.

C. R. BENEDICT,
Chief Clerk.

Also:

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 House was asked:

Senate Concurrent Resolution covering back into the treasury the unexpended balances of Louisiana Purchase appropriation.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 96, a bill for an act making an appropriation to defray the expenses of the reception tendered the Governor by the Thirty-first General Assembly.

C. R. BENEDIET.
Chief Clerk.

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:

House file No. 72, a bill for an act to legalize the incorporation of the town of Dow City, Crawford county, Iowa, the election of its officers, the acts done and ordinances and resolutions passed by the council of said town and to define the limits thereof.

C. R. BENEDICT,
Chief Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate file No. 26, a bill for an act to legalize the acts of the "Peoples Bank" and the acts of the same corporation under the name of the "Peoples State Bank" located at West Liberty, Iowa, and to provide for filing its renewal certificate with the Secretary of State.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turner from the joint committee on enrolled bills, submitted the follwing:

MR. PRESIDENT—Your joint commitee on enrolled bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 26, a bill for act to legalize the acts of the "Peoples Bank" and the acts of the same corporation under the name of the "Peoples State Bank" located at West Liberty, Iowa, and to provide for filing its renewal certificate with the Secretary of State.

D. W. TURNER,
Chairman Senate Committee.
H. L. SPAULDING,
Chairman House Committee.

Ordered passed on file.

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:

House file No. 58, a bill for an act to amend section one thousand eight hundred and fifty (1850) of the code in relation to the investment of funds of Savings Banks.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 57, a bill for an act to amend section one thousand eight hundred and six (1806) of the code, in relation to the investment of funds of life insurance companies and associations.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 66, a bill for an act providing punishment for the injury or destruction of sidewalks additional to chapter four of title twenty-four of the code.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 87, a bill for an act authorizing and empowering the Governor or his successors in office to execute, acknowledge and deliver instruments of conveyance to the present owners or their grantees, of the northeast quarter of section seventeen, township ninety-two north, range forty-five west of the fifth principal meridian, Plymouth County, Iowa, for the purpose of correcting the titles thereto.

C. R. BENEDICT,
Chief Clerk.

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. 89, a bill for an act to legalize the organization of the Independent school district of Whiting, Monona county, Iowa, and the acts of its Boards of Directors.

C. R. BENEDICT,
Chief Clerk.

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: House file No. 47. a bill for an act to amend Section one thousand and seventy-six (1076), in Chapter two of title six of the code, relating to the registration of voters.

C. R. BENEDICT,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Crawford, Senate file No. 85, a bill for an act making section one thousand three hundred and five (1305) of the code supplement applicable to cities incorporated under special charters; and to provide that in such cities the rate of taxation for municipal purposes may be proportionately increased.

Read first and second time and referred to committee on Cities and Towns.

By Senator Wilson of Fayette, Senate file No. 86, a bill for an act to amend the law as it appears in section four thousand nine hundred and ninety-nine (4999) of the supplement to the code relating to the safe-guarding of machinery.

Read first and second time and referred to committee on Labor.

By Senator Jackson, Senate file No. 87, a bill for an act to amend section four thousand nine hundred and thirty-eight (4938) of the code, and to make provision for the penalty for the second offence.

Read first and second time and referred to committee on Judiciary.

By Senator Young of Lee, Senate file No. 88, a bill for an act making an appropriation for the construction of a new cell house and equipping the same for the penitentary at Fort Madison.

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

By Senator Molsberry, Senate file No. 89, a bill for an act to amend section one thousand nine hundred seventy-six (1976), one thousand nine hundred seventy-seven (1977), one thousand nine hundred seventy-nine, (1979), one thousand nine hundred eighty-two (1982), one thousand nine hundred eighty-four (1984) and one thousand nine hundred eighty-six (1986), of the code relating to levees built by the United States.

Read first and second time and referred to committee on Agriculture.

By Senator Warren, Senate file No. 90, a bill for an act making appropriations for construction, improvement, repair and contingent funds and for the purchase of land for the use of the State Hospital for Inebriates at Knoxville.

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

By Senator Wilson of Fayette, Senate file No. 91, a bill for an act to repeal the law as it appears in section two thousand five hundred and seventy-eight (2578) of the supplement to the code, and Chapter 98 laws of the 30th General Assembly, relating to quarantine, the care of infected persons and the payment of expenses incurred thereby and to enact a substitute therefor.

Read first and second time and referred to committee on Public Health.

By Senator Dunham, Senate file No. 92, a bill for an act to provide for a uniform policy to be used by all fire insurance companies doing business in the State of Iowa.

Read first and second time and referred to committee on Insurance.

By Senator Dunham, Senate file No. 93, a bill for an act to provide for the further encouragement and development of the dairy interests of the State and to appropriate money therefor.

Read first and second time and referred to committee on Agriculture.

By Senator Bleakly, Senate file No. 94, a bill for an act making appropriations for construction, improvement, repair and contingent funds and for the purchase of lands for the use of the Cherokee State Hospital.

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

HOUSE MESSAGES CONSIDERED.

House file No. 71, a bill for an act to amend section two hundred and fifteen (215) of the code relative to the distribution of reports of the supreme court.

Read first and second time and referred to committee on Judiciary.

Senate file No. 24, a bill for an act to legalize the incorporation of the town of Harvey, Marion County, Iowa, the publication of notices thereof and ordinances passed.

Passed on file.

Senate file No. 23, a bill for an act to legalize the action of the Independent school district of West Des Moines, Polk County, Iowa, in voting bonds at an election held on the 13th day of March, 1905, and legalizing the bonds issued by said school district, under said election.

Ordered passed on file.

CONCURRENT RESOLUTION.

Senate concurrent resolution covering back into the treasury the unexpended balances of Louisiana Purchase appropriation.

Ordered passed on file.

House file No. 96, a bill for an act making an appropriation to defray the expenses of the reception tendered the Governor by the Thirty-first General Assembly.

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

House file No. 72, a bill for an act to legalize the incorporation of the town of Dow City, Crawford County, Iowa, the election of its officers, the acts done and ordinances and resolutions passed by the Council of said town and to define the limits thereof.

Read first and second time and referred to committee on Judiciary.

House file No. 58, a bill for an act to amend section eighteen hundred and fifty (1850) of the code in relation to the investment of funds of savings banks.

Read first and second time and referred to committee on Banks and Banking.

House file No. 57, a bill for an act to amend section eighteen hundred and six (1806) of the code in relation to the investment of funds of life insurance companies and associations.

Read first and second time and referred to committee on Judiciary.

House file No. 66, a bill for an act providing for punishment for the injury or destruction of sidewalks (additional to chapter four) of the title twenty-four (24) of the code.

Read first and second time and referred to committee on Judiciary.

House file No. 87, a bill for an act authorizing and empowering the Governor or his successors in office to execute, acknowledge and deliver instruments of conveyance to the present owners or their grantors of the north-east quarter of section seventeen (17), township ninety-two (92) north, range forty-five (45) west of the fifth principal meridian, Plymouth county, Iowa, and for the purpose of correcting the titles thereto.

Read first and second time and referred to committee on Judiciary.

House file No. 89, a bill for an act to legalize the organization of the Independent school district of Whiting, Monona county, Iowa, and the acts of its Boards of directors.

Read first and second time and referred to committee on Judiciary.

House file No. 47, a bill for an act to amend section ten hundred seventy-six (1076), in chapter two (2) of title six (6) of the code, relating to the registration of voters.

Read first and second time and referred to committee on Judiciary.

REPORT OF COMMITTEE.

Senator Dowell, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 37, a bill for an act to legalize the incorporation of the town of Lidderdale, Carroll county, Iowa, the election of its officers, the passage of its ordinances and resolutions, and all acts done 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 same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Senator Dowell, from the committee on Judiciary, submitted the following report.

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 62, a bill for an act to amend section six hundred and twenty-two of the code in relation to the severance of territory from towns and cities beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Senator Dowell, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 29, a bill for an act empowering the Governor and Secretary of State to execute quitclaim deeds conveying to the grantees of S. Dunham all of the right, title and interest of the State of Iowa in the southwest quarter, the west half of the southeast quarter, the south half of the northwest quarter and the northwest quarter of the northwest quarter of section

twenty-eight (28), and the east half and the north west quarter of section twenty-nine (29), all in township seventy-three (73) north, range one (1) west of the 5th principal meridian, beg leave to report that 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. C. DOWELL,
Chairman.

Ordered passed on file.

Senator Dowell, from the committe on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 21, a bill for an act to repeal section forty-nine hundred and sixty-nine (4969) of the code and enact a substitute therefor, providing for the punishment of cruelty to animals, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Senator Dowell from the 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 amend section one thousand four hundred and seven (1407) of the code relating to the collecting of delinquent taxes beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL.
Chairman.

Ordered passed on file.

Senator Turner, from the special committee appointed to visit the College for the Blind at Vinton, submitted the following report and asked that it be printed in the Journal.

MR. PRESIDENT— Your committee appointed to visit, investigate and report the needs of the College for the Blind at Vinton, beg leave to submit the following report:

The full committee met in the college at Vinton, on Monday, January 15th, 1906. We were deeply impressed with the candid, sincere and earnest interest manifested by Superintendent McCune in every phase of the work and department of the institution, and feel that the thanks of this committee are justly due him for the many courtesies shown and information given us.

Your committee as a whole visited the different departments of class work, and listened with interest to the recitations and instructions as they came and went from pupil and teacher almost or totally blind and must admit that

to a part of the committee, if not all, the work they are doing is marvelous and surprising. We also visited the various lavatories, halls, cloak rooms, and sleeping apartments, all of which bore striking evidence of careful and painstaking care, and were models of neatness and order; the sleeping rooms being decorated with pictures and ornaments to a suprising degree, and really created an impression of contentment and happiness.

At the noon hour we were present at the dining hall, when the body of students assembled, and were much pleased and deeply impressed with the pleasant, systematic and orderly way in which the ceremony was conducted and the meal was served.

After dinner we inspected the hospital for which there was an appropriation at the last session of $8000.00. This building presents a substantial and artistic appearance, and as far as we were able to judge is well built, and planned to suit the needs of the institution. We believe that this hospital building was a much needed improvement, and that the appropriation for same was well used.

We also examined the fire escapes for which the last legislature appropriated the sum of $2000.00, and heartily approve of its construction and the appropriation which created it.

We also visited the work shops and found those there engaged to be seemingly happy and contented, and to all appearances doing good work both for themselves and the state.

In regard to the recommendations of the Board of Control and appropriations asked for by the institution, which are embodied in House file No. 33, your committee, after going over the situation carefully and considering the whole matter, desire to make the following explanations and recommendations:

We found that two or three boilers now doing service have been in use by the institution for about twenty years, and in the ordinary course of events and the nature of the case, and from the tests that have been made, are nearly worn out and should undoubtedly be replaced by new and safer boilers. This would necessitate the remodling somewhat of the boiler house, and as the smoke stack is showing some defects and has proved to be inadequate to the demands at all times, we recommend the appropriation for this purpose of the full amount asked by the Board of Control as they assure us their requests are made from careful investigation and estimates. The amount asked for the above improvements being the sum of $12,000.00. We are also of the opinion that more room is needed for the storage of coal, to the end that a full winter's supply may be secured during the summer and fall at a time when it is possible to obtain same at reasonable figures, thereby avoiding the possibility of being cut off by strikes, blockades or the inability of railroad companies to deliver same in the more hurried seasons. For these reasons we recommend the appropriation for this purpose of $3,500.00.

We also recommend the appropriation of $1,000.00 for the contingent and repair fund for the period of one year, or until the next regular session, making a total appropriation to meet the needs of this institution until the next regular session of $17,500.00.

Referring to the amount asked for by the Board of Control for the purpose of establishing a music hall and gymnasium for this institution, your committee wish to add, that we believe this request to be along the line of good policy, and should be adopted and carried out by the state at the earliest possible moment consistent with the financial conditions as they exist. We believe that the proper physicial development of these unfortunate children whose bodies and limbs are in many cases crooked, dwarfed and deformed, is of great importance and absolutely necessary for their future welfare and happiness, and we are only restrained from recommending this appropriation from the fact that many of the amounts asked *must* be cut down, and we think it better to postpone this investment until a more appropriate time; but would recommend that as soon as possible an appropriation be made to carry out this request.

All of which is respectfully submitted,

DAN TURNER,
THOS. LAMBERT,
JOHN S. STANBERY,
JOHN LISTER,
B. F. ROBINSON,
Committee.

Ordered passed on file.

Senator Wilson of Fayette from the special committee appointed to visit the Iowa Industrial School for Boys at Eldora, Iowa, submitted the following report and asked that it be printed in the Journal:

To the President of the Senate, Speaker of the House, and Members of the Thirty-first General Assembly:

Your joint committee to visit the Iowa Industrial School for Boys at Eldora, beg leave to make the following report:

Your committee was very favorably impressed with the management of the affairs of this institution and belive that the State is to be congratulated on securing the services of so able and progressive a corps of officers as we have in Superintendent Drake and his assistants.

We arrived at the school on the morning of the 15th of January and went directly to Supt. Drake's office, where we immediately began our tour of inspection of the buildings and grounds.

We found an enrollment of about four hundred and sixty inmates, ranging in age from 6 to 18 years.

We desire to commend the management upon the almost perfect discipline which prevails among the inmates.

The buildings are constructed principally of brick and are all comfortably heated by steam supplied by their own plant and have a very effective system of water works in operation throughout the grounds and buildings, making the fire protection very adequate.

Sanitary conditions prevail throughout the building and the condition of the health of the inmates is excellent, only a small number being confined to the hospital and those only for minor complaints. We believe, however,

the need for a new detached hospital building is imperative and should be built and installed at the earliest possible date.

On account of the settling of the foundation, two of the cottages are badly damaged and sadly in need of repair.

We were much gratified to note that the entire work of the buildings and improvements is being done by the boys, all the clothing and shoes worn by the inmates being manufactured in the institution and the Superintendent informed us that not a dollar for contract labor is required or desired, except for a foremen to superintend the construction work. The erection of a cold storage plant now in the process of construction and the building of a 320 foot under ground sub-way for steam pipes, connecting the different buildings, is a fine specimen of the work that can be accomplished by the boys.

We heartily endorse the management in furnishing the opportunity for the boys to learn a variety of different, useful trades.

We find the building used for blacksmith and machine shop, a one-story frame building, wholly inadequate and unfit for its intended use.

We would recommend that appropriations be made as follows:

For blacksmith and machine shop and equipments	$ 8,000
For drain tile	1,000
For fencing	800
For agricultural implements	500
For cows and horses	1,200
For furniture and furnishings	500
For band and orchestra instruments	150
For lectures and entertainments and reward for meritorious services and for transportation for penniless boys	150
For hospital building and to equip and furnish same	12,000
For contingent and repair fund	3,000

Respectfully submitted,

A. C. WILSON,
CHAS. ECKLES,
M. A. DASHIELL,
J. R. DORAN,
J. H. DARRAH.

Ordered passed on file.

Senator Lyons from the special committee appointed to visit the Institution for the Feeble Minded Children at Glenwood, Iowa, submitted the following report and asked that it be printed in the Journal:

MR. PRESIDENT—Your committee appointed to investigate the condition of affairs at the Institution for the Feeble Minded Children, located at Glenwood, beg leave to submit the following:

We have visited the above named institution and find it under able management and the affairs in excellent condition. The State is exceedingly fortunate in securing the services of Dr. George Morgridge, as Superintendent, who with his able corps of assistants has succeeded in making the institution one of the very best of its kind. Too much praise cannot be given those noble-hearted women who are devoting their lives and energy in caring for the unfortunate inmates of this institution. No institution in the State is deserving of greater care at our hands than is this, which is

doing such grand work for the most unfortunate of all our people. Past legislatures recognizing this have done their part in providing a home for these unfortunates, where they can be made as comfortable as possible, but the constantly increasing demands that are being made for admission to this institution makes it imperative that more room should be provided for their accommodation. There are at this time enrolled 1038 inmates, which taxes it to its fullest capacity. There are now more than 100 applicants for admission on file that cannot be accommodated. Owing to the constantly increasing demand that will be made upon an institution of this kind it is evident that the legislature must provide a home for them. In order to meet this demand it will be necessary that new buildings be erected. The Board of Control is asking that an appropriation of $110,000 be made to erect two additional buildings for this purpose. It is the judgment of the committee that the institution at Glenwood has reached the maxium number of inmates that can be successfully cared for in one institution and that it would be the part of wisdom for this legislature to take action relative to the establishment of another institution of this kind, to be located in the north and eastern part of the State, and for this reason we would not recommend the erection of additional buildings at Glenwood. The water supply at this institution is a miserable makeshift, endangering the lives of the inmates and exposing the property of the State to the ravages of fire, and should be remedied at once.

We would recommend that an appropriation be made for this purpose, to be expended by the Board of Control as they deem most advisable and as much thereof as may be neccessary. In view of the above and after considering the needs of the institution we would recommend that the following appropriations be made:

For water supply	$25 000
For kitchen floor	1,500
For medical and surgical instruments and static machines	1,000
For beds and bedding	1,750
For furniture and furnishings	2,000
For contingent and repair fund	6,000
Total	$37,250

Respectfully submitted,

D. A. LYONS,
E. L. HOGUE,
Senate Committee.
J. C. FLENNIKEN,
J. H. LOWREY,
C. C. COLCLO,
House Committee.

Ordered passed on file.

Senator Stirton from the special committee appointed to visit the penitentiary at Fort Madison submitted the following report and asked that it be printed in the Journal:

MR. PRESIDENT—Your committee appointed to visit the penitentiary at Ft. Madison beg leave to submit the following report:—

We examined the Institution with care and found it exceptionally well managed. The warden, Mr. Jones, is a man who possesses the executive

force and efficiency necessary to a thorough and painstaking performance of his duties.

While the Institution is not well located, geographically, being in an extreme corner of the State, and not the most accessible, it would not be feasible to discontinue needed improvements with the view of ultimately abandoning the site. The State of Iowa has many hundreds of thousands of dollars invested there, and it would seem to be a very poor business proposition and a woeful waste of money to discontinue the site.

We find the Warden receives an annual support fund from the State of $250.00. In view of the fact that the Warden entertains a great many people who are nominally State guests, we recommend that the sum be made $500.00.

We found the new hospital building well nigh completed and ready for use It is built along sanitary lines and is modern in all its appointments.

The new power house is completed and will be ample for the needs of the Institution for long years to come.

It is our belief that the State should receive higher wages for the contract labor of its convicts. Forty-five cents per day, of ten hours, in the chair factory and fifty-five cents per day, of ten hours, in the garden tool factory, appears to us inadequate.

We found the water supply to be excellent in every particular. It is obtained from four wells, each one hundred feet deep, pumped into a tank and from there forced by atmospheric pressure to a reservoir on high ground, where sufficient direct pressure is obtained for fire purposes.

The most pressing and imperative need of the Institution at this time is a new cell house. The one now in use is a dark, dismal, disgraceful, disease-breeding dungeon, without sufficient ventilation to purify the atmosphere; the sanitary conditions are of the very worst.

A new cell house with partition walls of metal and commodious steel cages should be constructed without unnecessary delay. There is ample space for such a building on the north side of the enclosure. When a convict is detained in the service of the State for a certain period of time, he should not be discharged in poor physical health by reason of the unsanitary place of his confinement.

We recommend the allowance of $2,500.00 for the transportation of discharged and insane convicts and $7,000.00 for the contingent and repair fund and such other allowance as may be necessary for the purchase of sufficient land to grow what vegetables may be consumed in the institution.

All of which is respectfully submitted,

WARREN GARST,
ROBERT C. STIRTON,
F. F. JONES,
T. H. HUME,
F. M. LAIRD.

Ordered passed on file.

THIRD READING OF BILLS

On motion of Senator Garst, House file No. 37, a bill for an act to legalize the incorporation of the town of Lidderdale, Carroll county, Iowa, the election of its officers, the passage of its ordinances and resolutions, and all acts done by the council of said

town, with report of committee recommending passage, was taken up, considered, and the report of the committee, adopted.

The bill was read for information.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed, and the reading just had be considered its third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—48

The nays were:

None.

Absent or not voting:

Maytag, Saunders—2.

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

The President announced that he had signed in the presence of the Senate, Senate file No. 26.

On motion of Senator Molsberry, Senate file No. 29, a bill for an act empowering the Governor and Secretary of State to execute quit claim deeds conveying to the grantees of L. Dunham all of the right, title and interest of the State of Iowa in the southwest quarter, the west half of the southeast quarter, the south half of the northwest quarter and the northwest quarter of the northwest quarter section twenty-eight (28) and the east half and the northwest quarter of section twenty-nine (29) all in township seventy-three (73) north, range one (1), west of fifth principal meridian, with report of committee recommending passage was taken up, considered, and the report of the committee, adopted.

Senator Molsberry moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Bleakly, Brooks, Bruce, Crawford, Crossley, Dowell, Dunham, Eckles, Eleric, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—46.

The nays were:

None.

Absent or not voting:

Courtright, Maytag, Saunders, Whipple—4.

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

Senator Wilson of Fayette moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, January 26, 1906.

Senate meet in regular session at 10 o clock A. M., President Herriott presiding.

Prayer was offered by the Rev. J. E. Rolston of Sheldon, Iowa.

On request of Senator Harper, leave of absence was granted Senator Kinne until Monday.

PETITIONS AND MEMORIALS.

Senator Whipple presented petition of ninety-three citizens of Toledo and vicinity, in favor of a State Marshal law.

Referred to committee on Suppression of Intemperance.

Senator Harper presented petition of twenty-six citizens of Wapello county, against the passage of a State Marshal law.

Referred to committee on Suppression of Intemperance.

Senator Hughes presented petition of Kings Daughters of Iowa, in support of a child labor restriction law.

Referred to committee on Labor.

INTRODUCTION OF BILLS.

By Senator Young of Washington, Senate file No. 95, a bill for an act entitled "an act, to provide for the registration of trained or graduate nurses and for the issuance of certificates thereto, and to make it a misdemeanor for any person to advertise or profess to be trained for graduate nurses without having first been registered as provided herein.

Read first and second time and referred to committee on Public Health.

By Senator Spaulding, Senate file No. 96, a bill for an act to amend section twenty-seven hundred and sixty-eight (2768) of the code in relation to school house funds.

Read first and second time and referred to committee on Judiciary.

By Senator Whipple, Senate file No. 97, a bill for an act to repeal sections thirty-one hundred and ninety-seven (3197) and thirty-two hundred and nine (3209) and thirty-two hundred and ten (3210) and to amend section thirty-two hundred and fourteen (3214) of the code and to enact a substitute for said section thirty-one hundred and ninety-seven (3197).

Read first and second time and referred to committee on Judiciary.

By Senator Ericson, Senate file No. 98, a bill for an act providing for the care and permanent preservation of the public archives, and making an appropriation therefor.

Read first and second time and referred to committee on Libraries.

By Senator Lewis, Senate file No. 99, a bill for an act making an appropriation to defray the expenses of the reception tendered ex-Governor Wm. Larrabee by the Thirty-first General Assembly.

Read first and second time and referred to committee on Appropriations without printing,

By Senator Saunders, Senate file No. 100, a bill for an act to amend the law as it appears in chapter eight (8) title thirteen (13) of the code so as to raise the maximum age of commitment of females to the Industrial School to eighteen years and to raise the limit of the age of discharge therefrom to twenty-one years.

Read first and second time and referred to committee on Penientiaries and Pardons.

By Senator Dowell, Senate file No. 101, a bill for an act to provide for the government of certain cities, (amending title five (5) of the code.)

Read first and second time and referred to committee on Cities and Towns.

On motion of Senator Molsberry concurrent resolution relative to the appointment of a committee for the examination of life insurance companies organized and doing business or authorized to do business under the laws of the State of Iowa, was taken up and considered.

Senator Molsberry offered the following amendment:

Resolved, That the provisions of this resolution and the authority conferred upon the committee with reference to investigation of life insurance companies shall apply to old line life insurance companies, mutual life insurance companies, mutual assesment associations, stock companies, stipulated premium and assessment life insurance companies, fraternal benefit associations, and all other associations, societies and companies or orders insuring the lives of individuals. The investigation herein provided for shall be at the expense of the state.

Senator Crawford moved that when the Senate adjourns today that it be until 2 o'clock P. M. Monday.

A roll call was demanded.

On the question, "Shall the motion prevail?"

The yeas were:

Bleakly, Brooks, Bruce, Crawford, Crossley, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hogue, Jackson, Jamison, Jones, Kimmel, Lambert, Molsberry, Newberry, Stuckslager, Turner, Wade, Whipple, Wilson of Fayette—23,

The nays were:

Eckles, Ericson, Garst, Hopkins, Hughes, Lewis, Lyons, Maytag, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Warren, Young of Lee, Young of Calhoun, Young of Washington—16.

Absent or not voting:

Courtright, Dowell, Dunham, Elerick, Hayward, Kinne, Saunders, Stookey, Wilson of Clinton, Winnie, Taylor—11.

So the motion prevailed.

Senator Molsberry moved the adoption of the amendment.

By unanimous consent the time of adjournment was extended until the Concurrent Resolution could be disposed of.

Senator Courtright moved that the original resolution with the amendment thereto be referred to the Committee on Insurance.

Senator Young of Calhoun moved that further consideration of this resolution be deferred until next Wednesday morning.

Senator Courtright raised the point of order that the motion made by Senator Young of Calhoun was out of order.

The President overruled the point of order.

On the question, "Shall the motion of Senator Young of Calhoun prevail?"

The motion was lost.

On the question "Shall the motion of Senator Courtright to refer the concurrent resolution to the committee on Insurance prevail?"

The motion prevailed and the concurrent resolution was referred to the committee on Insurance,

REPORTS OF COMMITTEE.

Senator Dowell from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 2, a bill for an act legalizing the special election of the clty of Clinton, Iowa, held March 28th, 1901, whereby certain rights were granted to the Clinton Gas Light and Coke 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 the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 82, a bill for an act to legalize the action of the Board of Supervisors of Des Moines county, Iowa, relative to the sale of school lands in section (16), township (71), north of range (1), west of the 5th principal meridan, and to authorize the Governor to issue a patent therefor to the heirs of John Olson, beg leave to report that 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. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 54, a bill for an act additional to chapter (3) title (16) of the code, in relation to divorce and alimony, beg leave to report that 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.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 40, a bill for an act providing for a penalty for embezzlement by officers and employes of Banks and amendatory of section one thousand eight hundred and sixty-nine (1869) of the code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows: That the title to said bill be stricken out and the following inserted in lieu thereof: "A bill for an act to amend section eighteen hundred and sixty-nine (1869) of the code and providing a penalty for the crime of embezzlement stated therein:

That sections one (1) and two (2) of said bill be stricken out and the following substituted in lieu thereof:

Section 1. "Section eighteen hundred and sixty-nine (1869) of the code is hereby amended by striking out the period at the end thereof and adding the following, "and shall be imprisoned in the penitentiary not exceding ten (10) years or fined in a sum not less than the amount so embezzled, or by both fine and imprisonment."

That section three (3) of the bill be renumbered section two (2) and when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 72, a bill for an act to legalize the incorporation of the town of Dow City, Crawford county, Iowa, the election of its officers, the acts done and ordinances passed by the council of said town and to define the limits 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 striklng from section one (1) all after the word "litigation" in the twenty-first (21) line thereof and when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 89, a bill for an act to legalize the organization of the Independent School district of Whiting, Monona county, Iowa, and acts of its Board of Directors, beg leave to report that 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. C. DOWELL,
Chairman.

Ordered passed on file.

Senator Stookey from the special committee appointed to visit the State Hospital at Mt. Pleasant, submitted the following report and asked that it be printed in the Journal.

REPORT OF COMMITTEE.

MR. PRESIDENT—Your committee appointed to visit the State Hospital at Mt. Pleasant beg leave to submit the following report:

We arrived at Mt. Pleasant at one o'clock P. M. Friday, January 12, 1906 and were met at the station by a carriage belonging to the institution, and immediately drove out and proceeded to make investigation. Our time was somewhat limited and we were obliged to omit an extended trip over the farm, and therefore must rely partially upon information from the authorities in charge of the institution and the Board of Control.

We first devoted our time to a careful inspection of the main hospital building going from one ward to another in company with an escort of the assistants at the hospital. We went through many of the wards occupied by men; the men were in the halls and other places about the halls moving about freely.

We were informed that none of the patients were kept in cells or locked up in their rooms during the day time, but were permitted to have the freedom of the halls and their rooms; however they were guarded by the employees.

From the men's wards our guide took us to the wards occupied by the women; both men an women seemed submissive with few exceptions and expecially is this true of the women, all of whom seemed to be well cared for; the women as a rule presenting a tidy appearance, however there are some of the patients who give vent to their derangement and madness. These poor unfortunates appeal to the sympathy of your committee. In this connection we desire to say that every effort seems to be made for the comfort of the patients; we observed that there was a shortage in comfortable chairs, etc., for the use of the older women.

After visiting many of the wards and inspecting them so far as time permitted, we proceeded to make examination of the out-side buildings, grounds, and stock.

We learned that more teams were necessary to properly conduct the farming and other work necessary about the institution. Many of the patients were working in the workshops of the institution and upon the farms and other work connected with it. We were informed that the principal

part of the work of farming, gardening and all other kinds of work required, was performed by the patients, who were able to work and trustworthy; this work was done under superintendents.

Your committee would favor the increase of the numbers of cows for the institution, believing it in the interest of the health of the patients to use the milk, At this time they are milking about seventy-five cows, but the amount is greatly insufficient.

The Board of Control have asked an appropriation for the biennial period, but your committee has taken the matter up and the recommendations are made for one year only, and we herewith submit our findings with the amount asked in the tabulated form as follows:

Appropriations asked by the Board of Control of State Institutions of Iowa, for the Mt. Pleasant State Hospital.

	Asked.	Allowed.
For new floors	$3,500.00	$1 750.00
For beds and bedding	5,000.00	3,000.00
For carpets and rugs	4,000.00	3,000.00
For books and periodicals	500.00	250.00
For horses and farm implements	2,500.00	2,000.00
For removing and enlarging horse barn	3,500.00	3,500.00
For repairs to coal house and addition to same	4,000.00	4,000.00
For lavatories, closets and dining-room sinks and connections.	3,000.00	2,000.00
For drain tile	3,000.00	1,500.00
For fences	1,500.00	800.00
For improvement of grounds	1,000.00	600.09
For painting	3,000.00	1,500.00
For kitchen equipment	1,000.00	600 00
For cows	1,500.00	1,500.00
For laundry machinery	1.000.00	1,000.00
For operating rooms for men's infirmary	1,000.00	1,000.00
For contingent and repair fund	12,000.00	6.000.00
Total	$112,200.00	

Referring to the infirmary asked by the Board, we are of the opinion that the same should be built. There is now an infirmary for men who are sick, which is w ll filled at this time with patients who need special attention, but it cannot be used for women; these patients are treated in the various wards. We therefore join in recommending that an infirmary for women be built, and if a suitable building can be erected for less than $60,000.00 which is asked by the Board it should be done; and if such cannot be done we recommend an appropriation for that amount and also the 1,200.00 for a tunnel.

There is an impression in many places that "shoulder-strikers" or strong men sre required to control and subdue the patients at these institutions, but we found no such conditions existing at Mt. Pleasant. The employees are young men and young women who are required by rule of the institution to treat every patient with kindness and consideration, and not control them by physical force.

In submitting this report it gives your committee great pleasure to commend the able and efficient management of Superintendent C. F. Applegate and his comptetent corps of assistants, all of which is respectfully submitted.

MARION F. STOOKEY,
J. L. WARREN,
GEO. W. MCCULLOCH,
R. W. HOLLEMBECK,
CHAS. A. KENNEDY.

Ordered passed on file.

The following communication was received from the Auditor of State in compliance with the concurrent resolution passed by the Thirtieth General Assembly, and was ordered printed in the Journal.

METHOD OF TAXING INSURANCE COMPANIES.

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

Gentlemen—The Thirtieth General Assembly passed the following concurrent resolution:

"*Be it Resolved by the Senate, the House concurring*, That the Auditor of State be and is hereby directed to make a careful examination of the insurance of this and other states, with special reference to determining the manner and method of taxing insurance companies and associations and the revenne derived from such taxation; also, as to how and in what manner insurance companies and associations of this State are effected by the reciprocal or retaliatory provisions of law relating to taxation and is directed to report fully in regard to these matters at the next session of the General Assembly."

Pursuant to your direction I have made an investigation as to the methods employed by a large number of our states in the taxing of insurance companies and also as to the revenues derived from such taxation and as to the effect of reciprocal and retaliatory laws of such states upon Iowa companies and associations and beg leave to submit herewith my findings upon the subjects above enumerated:

It has been somewhat difficult to determine just what has been the effect of retaliatory statues upon Iowa companies and associations, as in some instances it would appear that the provisions of the retaliatory statutes of other states have not been enforced against ome Iowa insurance organizations.

In order to ascertain as full as possible the effect of the application of retaliatory laws of Iowa companies, I addressed letters of inquiry to all companies and associations, except fraternals which ordinarily are not taxed, transating business outside of the state during the calendar year 1904 and I herewith submit my findings under the replies which will indicate to you with reasonable definiteness the amount of taxes collected from Iowa concerns by reason of reciprocal and retaliatory laws:

EQUITABLE LIFE INSURANCE CO. OF IOWA.

The Equitable Life Insurance Company of Des Moines, Iowa, writes that it paid in taxes on premiums outside of Iowa forthe pear 1904, $12,750. Of this amount $2,550 was due to reciprocal or retaliation laws of other states.

THE ROYAL UNION MUTUAL LIFE INSURANCE CO.

The Royal Union Mutual Life Insurance Company of Des Moines, Iowa, reportsthe total amount of taxes paid outside of Iowafor the year 1904 to be $8,302.84, of which $2,619.98 was due to retaliatory laws.

DES MOINES LIFE INSURANCE CO.

The Des MoinesLife Insurance Company, Des Moines, Iowa, reports the amount of taxes paid for the year of 1904 to be $7,661.89 and does not make a report as to what portion of this amount is due to retaliatory laws of other states.

CENTRAL LIFE ASSURANCE SOCIETY OF THE UNITED STATES.

The Central Life Assurance Society of the United States located in the city of Des Moines, reports department taxes for the year 1904, $2,070.09, of which $256.60 was due retaliatory laws of other states.

The above are all of the old line legal reserve life insurance companies of this state which were authorized to transact business outside of the state for the year 1904, and consequently are all that could be effected by the taxing laws of other states.

Assessment life insurance associations and fraternals beneficiary associations of other states are not required to pay a tax in this state and consequently home companies would not be subject to any retalitory taxes.

Three fire insurance companies of this state, namely, the Iowa State Insurance Company, of Keokuk, the Dubuque Fire and Marine Insurance Company of Dubuque and the Home Insurance Company of Dubuque, were authorized to transact business outside of the state for the year 1904. Of these, the Dubuque Fire and Marine Insurance Companyand the Home Insurance Company have not reported as to the amount of taxes paid in other states. The Iowa Insurance Company of Keokuk paid to the state of Missouri, which was the only state outside of Iowa in which it was authorized to transact business, for the year 1904, $2,889.71. The rate of taxation in the state of Missouri being 2 per cent less return premiums and reinsurance, it is fair to assume that perhaps $577.94 of this amount was due to the retaliatory laws of that state.

RATES OF TAXATION OF GROSS PREMIUMS OF OLD LINE (LEGAL RESERVE) LIFE INSURANCE COMPANIES.

	Domestic Co's.	Co's of Other States.	Co's of Other Countries.	Remarks.
Colorado	2 per cent.	2 per cent.	2 per cent.	
California	None	*1 per cent.	*1 per cent.	*Retaliatory
Connecticut	"	"	2 per cent.	Reciprocal only
Indiana	"	*3 per cent.	*3 per cent.	*Deduct Losses.
Kentucky	*	2 per cent.	2 per cent.	*Same as other Corporations.
Kansas	"	2 per cent.	4 per cent.	Reciprocal.
Minnesota	*2 per cent.	2 per cent.	2 per cent.	*On prem. In State.
Michigan	*	2 per cent.	2 per cent.	*Same as other personal property.
Missouri	"	2 per cent.	2 per cent.	Retaliatory.
Massachusetts	*	*	*	*¼ of 1 per cent of net value of policies held by Mass. residents. Reciprocal.
Montana	*2 per cent	*2 per cent.	*2 per cent.	*Civil Code provides for county tax on excess of premiums over losses and expenses. 2½ per cent on first $5000 of gross premium.
North Dakota	"	2½ per ct.	2½ per ct.	
New Jersey	*	Retail.	Retail.	*1 per cent of surplus and 35-100 of 1 per cent of total gross premiums less any retaliatory taxes paid by companies of other states.
New York	1 per cent.	1 per cent.	1 per cent.	
Nebraska	*	2 per cent.	2 per cent.	*Same as other property on gross premiums less re-insurance and cancellations.
Ohio	None	*2½ per cent	2½ per cent.	*Deduct return premiums, cancellations and considerations received from other Co's for re-insurance.
Pennsylvania	8-10 of 1 p c	2 per cent.	2 per cent.	
*South Dakota.	*2 per cent	2½ per ct.	2½ per cent.	*Companies incorporated under law of 1905 pay 1 per cent of gross premium.
Texas	2¼ per ct.	2½ per cent.	2 per cent.	Deduction for investments in Texas Securities—See Section 130 Ch. 12 Ins. Law.
Vermont	†-*2 per ct.	*2 per cent.	*2 per cent.	*Less return premiums dividends to to policy holders and reinsurance in authorized Co's surrender values not considered return premiums. * Domestic Life companies are required to pay an additional tax of 1 per cent on surplus.
Washington	*2 per cent	*2 per cent.	*2 per cent.	*On gross Prem. after deducting losses paid policy holders.
West Virginia.	None	*	*	*1½ mills on each dollar of risks written.
Wisconsin	*3 per cent	†3 per cent.	†3 per cent.	*Gross Income from all sources less income on building and prem. collected outside of the State. * After 1908.
Illinois	None	None	None	

RATES OF TAXATION ON GROSS PREMIUMS ASSESSMENT OF LIFE INSURANCE ASSOCIATIONS.

	Domestic Co's.	Co's. of Other States.	Co's. of Other Countries.	Remarks.
Connecicutt....	None.	.....	.....	Reciprocal.
Colorado.	2 per cent.	2 per cent.	2 per cent.	
California.....	None.	1 per cent.	1 per eent.	Reciprocal.
Indiana	None.	*3 per cent	*3 per cent.	* After deducting actual losses paid.
Kentucky	*..... ..	2 per cent.	2 per cent.	* Pay county and city taxes as other corporations.
Kansas	None.	2 per cent.	4 per cent.	Reciprocal.
Minnesota.....	None.	None.	None.	.....
Montana	*2 per cent.	*2 per cent.	*2 per cent.	* County tax on excess of preminms over losses and expenses. 2-½ per cent on first $5,000 of prem.
Massachusetts.	None.	None.	None.	
Michigan.....	*..... ..	None.	None.	* Domestic companies pay on surplus at the same rate as other property.
Missours.....	None.	None.	None.	.....
Nebraska.....	*	T	T	* Taxed upon gross premiums received in state, less reinsurance and cancelations, provided they make no dividends. Receipts taken as an item of property and taxed us other property T 2 per cent on gross premiums, of companies declare dividends or return profits to policy holders; otherwise no taxes.
New York ...	None.	None.	None.	....
New Jersey	None,	None.	None,	....
North Dakota..	None.	*2-½ per c't.	*2-½ per c't.	* Less return premiums.
Ohio.....	None.	None.	None.	. .....
Pennsylvania ..	None.	None.	None.	.....
South Dakota..	2 per cent.	2-½ per c't.	2-½ per c't.	Reciprocal.
Texas.....	None.	2-½ per b't.	2-½ per c't	... .
Vermont.	*2 per cent.	*2 per cent.	*2 per cent.	* Less return preiums, dividends to policy holders and reinsurance in authorized companies.
Washington....	*2 per cent.	*2 per cent.	*2 per cent.	* On gross premiums after deducting losses, aid to policy holders.
Wisconsin.....	*3 per cent.	*3 per cent.	*3 per cent.	* On gross premium receipts after January 1, 1908.
West Virginia..	None.	None.	None.	....
Illinois.....	None.	None.	None.	.....

RATES OF TAXATION ON GROSS PREMIUMS OF FIRE INSURANCE COMPANIES.

	Domestic Companies	Co's of Other States	Co's of Other Countries.	Remarks.
Colorado.....	*	*	*	
	2 per cent	2 per cent	2 per cent	* Less return premiums.
		*	*	
California.....	None	2 per cent	2 per cent	* Less return premiums. Losses, reinsurance.
Connecticut ...	*	*		Retaliatory.
			2 per cent	*Reciprocal.
		*	*	
Indiana.....	None	3 per cent	3 per cent	*Actual Losses deducted.
Kentucky	*			*Same as other property.
		2 per cent	2 per cent	Reciprocal.
Kansas.....	None	2 per cent	4 per cent	*Reinsurance in authorized Com-
Minnesota.....	*	*	*	
	2 per cent	2 per cent	2 per cent	panies deducted.
Michigan.	*			*Same as other personal property.
		3 per cent	3 per cent	*Deduct return premiums and rein-
		*	*	surance.
Missouri	None	2 per cent	2 per cent	Retaliatory.
				Reciprocal.
Montana	2½ p. cent	2½ p. cent	2½ p. cent	(Ded. (?) Sec. 51)
Massachusetts.	1 per cent	2 per cent	2 per cent	
			T	T Reciprocal.
New York.....	1 per cent	*T	5-10 of	T Fire department tax of 2 ser cent
			1 per cent	in cities, towns and villages ex-
				cept New York and Buffala.
New Jersey....	*	T	T	*Taxed locally on capital stock paid
		2 per cent	2 per cent	in and accumulated surplus.
				T For the benefit of firemen s relief,
				associations.
North Dakota..		*	*	T On gross premiums less return
		2½ per cent	2½ per cent	premiums only.
Nebraska		*	*	T Taxed on same per cent of value
				as other property but may deduct
				reinsurance premiums paid and
				cancellations.
				*Taxed on same per centage of val-
				ue as other property.
				No deductions.
Ohio	*	*	*	Less cancellations and reinsurance
	2½ p. cent	2½ per cent	2½ per cent	* All companies also pay a Fire Mar-
				shall Tax of ½ of 1 per cent
Pennsylvania..	*	*	*	*Less return premiums and rein-
	8 millis	2 per cent	2 per cent	surance premiums where the rein-
				surance is in licensed compainies.
South Dakota..	0	2½ per cent	2½ per cent	*Less return premiums dividends
Texas	1¾ p. cent	1¾ per cent	1¾ per cent	to policy holders, add reinsurance
Vermont.....	*	*	*	in authorized companies.
	2 per cent	2 per cent	2 per cent	*On gross premiums after deducting
				losses paid to policy holders.
				Less reinsurance in autnorized
Washington....				compainies, cancellations and act-
	*	*	*	ual losses.
	2 per cent	2 per cent	2 per cent	*¼ of one mill on each dollar of
Wisconsin.....	*	*	*	risks written.
	4 per cent	4 per cent	4 per cent	*Premium receipts taxed locally the
				same as other property. Cities,
West Virginia.	None	*	*	towns and villiages may also collect
				a fire department tax not exceeding
Illinois	None	*	*	2 per cent of the gross premiums
				received.

The following is a correct statement of the amount of taxes paid to the Treasurer of State during the year 1905 for the calendar year 1904 by the different insurance companies and associations transacting business in the state of Iowa. (For a detailed statement of the payments made by each company, see pages 31 to 38, inclusive, of the biennial report of the Auditor of State for the year ending June 30, 1905.

IOWA COMPANIES.

Fire	$ 13,015.65
Life	6,109.72
State Mutuals, fire	1,737.22
State Mutuals, hail	1,123.03
State Mutuals, tornado	426.81
State Mutual, plate glass	12.84
Assessment life associations	12,666.84
Assessment accident associations	1,485.00
Total	$ 36,577.11

UNITED STATES COMPANIES OTHER THAN IOWA.

Fire	$ 73,655.91
Life	150,465.28
Accident	5,434.28
Hail	58.38
Casualty	3,273.82
Fidelity	3,465.38
Total	$236,353.05

COMPANIES OF FOREIGN COUNTRIES.

Fire	$ 13,322.55
Casualty	1,167.50
Fidelity	437.61
Total	$ 14,927.66

Grand Total $287,857.82

The following statement shows the amount of Taxes paid to the states named below by the insurance companies transacting business in such states for the calendar year 1904, as shown by the printed reports of the insurance department of said states, as well as by the special reports made by the auditors and commissioners of insurance thereof to this office.

COLORADO.

Legal Reserve Life Insurance Companies	$ 76,964.35
Assessment Life Insurance Companies	2,397.90
Fire Insurance Companies	42,781.88
Casualty, Fidelity and Surety Companies	15,740.69
Total	$137,884.82

CONNETICUT.

Legal Reserve Life Insurance Companies	$ 47,183.45
Fire Insurance Companies	50,027.52
Casualty, Fidelity and Surety Companies	2,438.29
Total	$ 99,649.26

INDIANA.

Legal Reserve Life Insurance Companies	$ 182,240.91
Fire Insurance Companies	73,238.99
Casualty, Fidelity and Surety Companies	15,726.39
Total	$271,206.29

ILLINOIS.

Total of taxes received from all companies during 1904	$276,656.91

KENTUCKY.

Total amount of taxes collected from all companies for the year ending July 1st, 1904	$226,345.55

KANSAS.

Legal Reserve Life Insurance Companies	$ 48,726.64
Fire Insurance Companies	77,322.33
Casualty, Fidelity and Surety Companies	4,402.73
	$130,452.72
Firemen's Relief Fund receipts	26,900.83
Total	$157,353.55

MINNESOTA.

Legal Reserve Life Insurance Companies	$126,006.05
Assessment Life Insurance Companies	12.70
Fire Insurance Companies	123,631.27
Casualty, Fidelity and Surety Companies	22,928.33
Total	$272,578.37

MICHIGAN.

Legal Reserve Life Insurance Companies	$182,996.69
Assessment Life Insurance Companies	630.00
Fire Insurance Companies	201,809.89
Casualty, Fidelity and Surety Companies	15,701.65
Retaliatory Fees	23,676.28
Total	$424,814.51

MISSOURI.

Legal Reserve Life Insurance Companies	$285,273.28
Fire Insurance Companies	142,663.66
Casualty, Fidelity and Surety Companies	34,314.70
Total	$462,251,64

MONTANA.

Legal Reserve Life Insurance Companies	$30,809.00
Fire Insurance Companies	43,856.19
Miscellaneous and Casualty Companies	3,609.81
Total	$78,275.00

MASSACHUSETTS.

Legal Reserve Life Insurance Companies	$285,333,00
Fire and Casualty Companies	431,810.00
Total	$717,143.00

NEBRASKA.

Legal Reserve Life Insurance Companies	$48,726.64
Fire Insurance Companies (Taxed Locally) Casualty, Fidelity and Surety Companies	4,402.73
Total	$53,129.37

NORTH DAKOTA.

Legal Reserve Life Insurance Companies	$30,074,82
Assessment Life and Accident Insurance Companies	77.83
Fire Insurance Companies	24,855.09
Casualty, Fidelity and Surety Companies	2,479.45
Total	$57,487.19

NEW YORK.

Legal Reserve Life Insurance Companies	$ 40,591.66
Fire and Marine Insurance Companies	126,862.80
Casualty, Fidelity and Surety Companies	32,708.07
Total	$200,162.53

NEW JERSEY.

Domestic Legal Reserve Life Insurance Companies	$295,770.95
Legal Reserve Life Insurance Co's. (Foreign to New Jersey)	106,258.09
Fire Insurance Companies (No data)	
Casualty, Fidelity and Surety Companies	16,450.26
Total	$418,479.30

OHIO.

Total receipts for taxes from all companies during the year 1904	$ 793,089.21
Taxes under Fire Marshal law	60,631.43
Total	$ 853,720.64

PENNSYLVANIA.

Legal Reserve Life Insurance Companies	$ 838,319.27
Fire Insurance Companies	282,393,00
Casualty, Fidelity and Surety Companies	59,893.64
Total	$1,180,605.91

SOUTH DAKOTA.

Legal Reserve Life Insurance Companies	
Fire Insurance Companies	$ 49,641.05
Casualty, Fidelity and Surety Companies	

TEXAS.

Legal Reserve Life Insurance Companiea	$ 155,062.81
Assessment Life Insurance Companies	324.43
Fire Insurance Companies (no report)	
Casualty, Fidelity and Surety Companies	6,449.77
Total	$ 161,837.01

VERMONT.

Legal Reserve Life Insurance Companies	$ 61,124.31
Assessment Life Insurance Companies	614.15

Fire Insurance Companies	22,424.56
Casualty, Fidelity and Surety Companies	3,532.10
Total	$ 87,695.12

WISCONSIN.

Legal Reserve Life Insurance Companies	$ 329,960.32
Fire Insurance Companies	157,037.45
Casualty, Fidelity and Surety Companies	18,522.13
Total	$ 505,519.90

Respectfully submitted,

B. F, CARROLL,
Auditor of State.

January 26, 1906.

Senator Elerick asked unanimous consent that 100 extra copies of Senate file No. 32 be ordered printed.

Consent granted.

The time having arrived the Senate was declared adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, January 29th, 1906.

Senate met pursuant to adjournment at 2 o'clock P. M., President Herriott presiding.

Prayer was offered by the Rev. A. E. Golden of Manning, Iowa.

On request of Senator Elerick, leave of absence was granted Senator Hogue for the day.

On request of Senator Young of Lee, leave of absence was granted Senator Taylor for the day.

On request of Senator Smith of Des Moines, leave of absence was granted Senator Lambert for the day.

On request of Senator Jamison, leave of absence was granted Senator Stookey for the day.

On request of Senator Jackson, leave of absence was granted Senator Bleakly for the day.

On request of Senator Kimmel, leave of absence was granted Senator Wade for the day.

On request of President Herriott, leave of absence was granted Senator Saunders indefinitely.

Senator Brooks presented petition of W. P. Hitchcock, of Muscatine, in favor of the passage of a law prohibiting the purchase of liquors by election officers, etc.

Referred to committee on Suppression of Intemperance.

Senator Whipple presented petition of numerous citizens of Toledo in support of a State Marshal law.

Referred to committee on Suppression of Intemperance.

Senator Young of Lee, presented petition of Lee County Medical Society protesting against granting the Osteopath profession a member on the State Board of Health.

Referred to committee on Public Health.

Senator Winnie presented petition of Board of Supervisors of Humboldt County in support of a law for the extension of the term of office of certain County officials.

Referred to committee on Judiciary.

Senator Turner presented petition of citizens of Adams and Taylor counties in support of the submission of Woman Suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

INTRODUCTION OF BILLS.

By Senator Smith of Mitchell, Senate file No. 102, a bill for an act making an appropriation to cover deficiency on account of additional employes of the Thirtieth General Assembly, and to pay the additional employes of the Thirty-first General Assembly.

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

By Senator Garst, Senate file No. 103, a bill for an act making an appropriation of the sum of $4,978.27 to Albert B. Cummins, W. B. Martin, B. F. Carrol, and G. S. Gilbertson, to reimburse them for funds advanced, for the purpose of completing the tabulation of the State census of 1905.

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

By Senator Garst, Senate file No. 104, a bill for an act to make an appropriation to defray the mileage and expenses of the members of the two joint committees appointed by the Thirtieth General Assembly under joint resolutions orignating in the Senate numbered six and seven.

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

By Senator Garst, Senate file No. 105, a bill for an act to amend section one thousand six hundred thirty-seven (1637) of the code, relating to corporations.

Read first and second time and referred to committee on Ways and Means.

By Senator Crossley, Senate file No. 106, a bill for an act to amend the law as it appears in section six hundred ninety-seven (697) of the code, relating to the powers of cities and towns with reference to their cemeteries.

Read first and second time and referred to committee on Cities and Towns.

By Senator Hayward, Senate file No. 107, a bill for an act to repeal section two thousand four hundred seventy-four (2474) of the code, relating to reports and returns to the Bureau of Labor Statistics, and to enact a substitute therefor.

Read first and second time and referred to committee on Labor.

By Senator Brooks, Senate file No. 108, a bill for an act to amend section fourteen hundred and four (1404) of the code, relating to the assessment of personal property.

Read first and second time and referred to committee on Ways and Means.

By Senator Brooks, Senate file No. 109, a bill for an act providing for the registration of stallions and fixing penalties for the violation thereof.

Read first and second time and referred to committe on Agriculture.

By Senator Brooks, Senate file No. 110, a bill for an act to amend section sixteen hundred and fifty-seven-D (1657-D) of the supplement to the code, relating to the agricultural convention.

Read first and second time and referred to committee on Agriculture.

By Senator Young of Lee, Senate file No. 111, a bill for an act appropriating the sum of two thousand dollars ($2,000.00,) to be paid to Mrs. John Stein in settlement of all claims against the State of Iowa, by reason of the death of John Stein, who was killed by a falling scaffold at Fort Madison penitentiary while working under the orders of the superintendent of construction.

Read first and second time and referred to committee on Claims.

By Senator Hartshorn, Senate file No. 112, a bill for an act to make appropriations for the Industrial School for Boys at Eldora.

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

Senator Stuckslager offered the following resolution and moved its adoption:

Resolved: That the president of the Senate appoint a committee of three to prepare appropriate resolutions on the death of Bishop E. B. Kephart, a former member of this body, who died January 24th, 1906.

Adopted.

Senator Garst, from the committee on appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 52, a bill for an act making appropriations for the Industrial School for Boys at Eldora beg leave to report that 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.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Hartshorn from the committtee on Printing, submitted the following report:

MR. PRESIDENT—Your committee on Printing, to whom was referred Senate file No 16, a bill for an act to amend section four hundred forty-one (441) of the code in regard to official 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 the same do pass.

F. C. HARTSHORN,
Chairman.

Ordered passed on file.

Senator Brooks, from the special committee appointed to visit the Iowa State Hospital at Clarinda, submitted the following report and asked that it be printed in the Journal:

MR. PRESIDENT—Your committee appointed to visit the Iowa State Hospital, at Clarinda, begs to submit the following report:

We visited the institution on January fifteenth and sixteenth, and gave its affairs as thorough an examination as could well be done within that time. We tried to look over the entire concern, including all buildings, wards, shops, the farm, farm buildings and the various equipments—machines, tools, stock, dairy, etc. We also visited and conversed with a very large number of the patients and employees. During the evening of the fifteenth we attended a social gathering in the fine audience room of the Institution, where some three hundred of the inmates were gathered for an evening of social entertainment and enjoyment.

Generally, your committee was very much pleased with the condition of affairs in this great Institution. These unfortunate wards of the State seem to be as comfortable, as cheerful and, in every way, as well disposed as the most exacting could ask or hope for.

We expected to find everything neat and orderly, the employees satisfied, efficient, courteous and well disposed; but we did not expect to find these qualities pertaining, in so great a degree, among the inmates. During all the hours of the two days, and the one night, that we were in and about the Institution, we did not observe a single act or hear a single sound indicative of a "Mad House." It could not be otherwise than that a large number of the patients should be despondent, morose and entirely unhappy. Such conditions are perhaps inseparable from the situation, and no human power could remove them. But other than these, all seemed contented and comfortable, and it was no uncommon thing to see manifestations of gaiety and happiness.

We were also pleased to find that a not inconsiderable part of the work about the buildings and over the farm is being performed by the inmates. Within reasonable and carefully guarded limits, we believe this sort of medicine to be the very best for the patients in these Hospitals. This work was being done with care and efficiency, and, above all, with apparent cheerfulness and contentment.

We are well pleased with the general policy of the Board of Control that seeks to add agricultural lands to the equipment of these Institutions, both from the standpoint of furnishing out-door exercise for the inmates, and also for their support and maintenance in this way, besides the substantial food stuffs produced, many delicacies from the garden, orchard and dairy reach the tables which otherwise could not be had.

As to the executive abilitity of the Superintendent, Dr. Witte, we have only words of highest praise to offer. And we were pleased to note the absolute freedom and confidence with which all inmates seemed to feel warranted in approaching him. And in Drs. Macklin, Leader and others he seems to be supported by an able corp of helpers.

The Institution is asking for the following appropriations:—

1.	Cottage for Women	$75,000.00
2.	Boilers and setting same	15,000.00
3.	Stokers, etc	5,000.00
4.	New Engine and Dynamo	6,000.00
5.	For Painting	4,000.00
6.	For Plumbing, etc	3,000.00
7.	Sewer, tunnel and piping to Women's Cottage	4,000.00
8.	For Contingent and Repair Fund	10,000.00
9.	For Purchase of additional Land	7,000.00

Item No. 1—It is entirely possible that the Women's Cottage will be needed in the near future. But the population at this time is practically the same that it was two years ago. And but fifty patients have been transferred during this period. And the Men's Cottage, which was provided for by the Thirtieth General Assembly, is practically completed and will be ready for occupancy in a few weeks. This Cottage has a capacity for about one hundred and fifty, and will, in our opinion, give all necessary relief at the present time. We, therefore, recommend that this item of $75,000,00 be cut out. And if this item goes out, then Item No. 7 should also go, as this was to supply equipment for this proposed Cottage.

Item No. 2—For four new boilers, or so much thereof as may be needed, should in our opinion be granted.

Item No. 3—Should, we think, be granted.

Item No. 4—We recommend that this item be granted. The needs of the Institution have greatly increased since the new engine and dynamo were installed, and the equipment is too small for the work required. The old dynamo and engine would still be serviceable and could be called into use in case of a breakdown, and perhaps at certain seasons of the year could be used more economically than the new and larger equipment which is proposed.

Item No. 5—The $4,000.00 asked was intended to cover a two-year period, and we recommend that $2,000.00 be granted.

Item No. 6—We also recommend that this item be granted.

Item No. 8—The asking here is also for a two-year period and we recommend that $5,000.00 be granted.

Item No. 9—It is our opinion that the purchase of the additional tract of land contemplated would be a proper and economical investment for the State, and we recommend that the item be allowed. However, if it should be thought best to defer for the present this appropriation, the Institution will not materially suffer by such a course.

Total amount asked is.....$128,000.00
Total amount recommended is..... 42,000.00

All of which is respectfully submitted.

J. T. BROOKS,
SHIRLEY GILLILLAND,
D. C. MOTT,
C. A. MEREDITH,
W. A. DAVIE,
Committee.

Ordered passed on file.

Senator Young of Calhoun, from the special committee appointed to visit the Hospital for the Insane at Cherokee, submitted the following report and asked that it be printed in the Journal.

REPORT.

To the President of the Senate and the Speaker of the House, of the Thirty-first General Assembly of the State of Iowa:

Your joint committee to visit the State Insane Asylum at Cherokee begs leave to make the following report:

On the 15 inst. your committee met at the Asylum and investigated the needs of this institution as represented and itemized by the State Board of Control. We found the asylum containing more inmates than it was intended to accommodate. A number of beds were placed in the corridors for the surplus inmates. The accommodations here for sleeping purposes were as comfortable as far as the patients were concerned as in the wards. But this condition ought not to be. In case of fire or panic the results might be more serious than if the corridors were clear of all impediments. The removal of the thirty inebriates soon, will relieve this condition to an extent. But with the present increase of the insane before the end of another

two years, the population of the asylum will be as congested as at present. So your committee thought wise to recommend an appropriation to commence a building sufficient to accommodate 150 patients. The reason for so doing, is that at this session of the General Assembly appropriations will probably be made for but one year. And the next General Assembly can make the necessary appropriations to complete this building.

The present capacity of the horse barn is sufficient for the number of horses now owned and employed by this institution. With more horses work that now has to be paid for, might be done by the inmates. And yet in the opinion of your committee the economy would be so slight and under the present urgent demands for greater needs, the committee concludes not to recommend any appropriations for that purpose.

Your committee is aware of the value of paint to preserve not only the appearance, but the durability of buildings and recognizing the present needs of this building in that line we believe it economy to make an appropriation for that purpose.

For grading and improving the grounds, much money could be used now to advantage, and make the surroundings appear much better and satisfactory and more attractive. To complete this work, years will be required. In our judgment it would be better for the State to make a moderate appropriation at each session of the General Assembly until this work is done, rather than to attempt to complete it in a few years.

The committee is inclined to the opinion that it would be economy for the State to have a number of sheep on the farm, to graze on the rough land of which there are a good many acres and is more valuable for grazing for such stock than any other, and would be an economical way to furnish mutton for inmates, and is an article of food superior for the invalids. If said stock is put on the farm, there will have to be additional fencing and there now is need of other cross fences. An appropriation will be recommended for fencing.

The present poultry house is almost a minus quantity. A couple of good sized store boxes would give nearly as much room and protection as the poultry now have. The value of eggs and fowls for food is of sufficient value to care in a proper manner for the poultry for this institution.

There is no protection on the farm for the wagons and manure spreaders when not in use. We found them under the projection of the roof, on one side of the barn which is a very incomplete protection from the heat of the sun and the storms of rain and snow. Furthermore this projection of the roof was not made for that purpose, and when there they interfere with the workmen about the barn. Such care of farm machinery is not economicial and indicates carelessness and shiftlessness. The farmers of the State look to our State farms to a great extent as an example to follow. For that reason and for economy there should be a shed built for the wagons, etc.

We observed there was a very limited number of books and perodicals in the wards and elsewhere for the use of the inmates and employes. Knowing the value of good literature for every individual especially for those in confinement, in our judgment it would be wise to purchase more books and periodicals.

The walls in most of the wards are destitute of any adornment. Just bare white walls. To make the wards more cheerful and attractive, there should be pictures of various kinds properly hung on the walls.

There are at present seventy cows on the farm, not sufficient to furnish milk for the wants of the inmates. As there is no article of food so valuable for the sick as milk, and as the committee thinks sheep would also be a valuable addition to the stock on the farm, our recommendations will be for the purchase of a number of sheep and more cows.

We found much of the hay was in stacks in the fields for want of any sheds or barn to store it away. In our judgment it would be economy to put it under cover. By so doing there would be less waste and make better feed. Thinking in connection with such a barn, sufficient room could be made for the housing of sheep, we recommend that it be built with that in view.

The Board of Control recommends buying two small tracts of land joining the farm, but in view of the large amount of money asked for at this session and the probability that such land will not increase in value for some years, we think it best not to recommend an appropriation for that purpose.

With the amount of contingent and repair fund yet unused of the appropriation of two years ago and that which we recommend will make about the usual amount for that purpose.

After careful consideration your committee concludes to make the following appropriation for the purpose indicated for the coming year for this State institution.

For basement for new building, water and steam piping	$ 25,000
For tunnel to connect with main building	10,000
For painting exterior and interior	2,000
For grading and improving of grounds	600
For cement walks	300
For fencing	250
For poultry house and enclosure	1,000
For wagon house	400
For books and periodicals	300
For pictures and picture moulding	300
For additional equipment for the industrial building	300
For additional live stock, cows and sheep	1,500
For hay and sheep barn	1,200
For contigent and repair fund	3,000
Total	$ 46,150

Your committee would be pleased to recommend every dollar asked for by the State Board of Control. It could be all used to good advantage, but the conditions of the State's finances will not permit us to do so without increasing the taxes, and this we do not wish to do.

We have not a word of criticism of the management of the asylum. Superintendent Voldeng, we believe to be most efficient in running every department of the institution. The Board of Control is to be congratulated in securing his service.

YOUNG, of Calhoun,
E. K. WINNE,
JOSEPH MATTES,
O. K. MABEN,
O. P. WYLAND.

Ordered passed on file.

THIRD READING OF BILLS.

On motion of Senator Lewis, Senate file No. 40, a bill for an act providing for a penalty for embezzlement by officers and employees of banks and amendatory of section 1869 of the code, with report of committee recommending amendments was taken up, considered, and the report of the committee, adopted. Senator Lewis moved the adoption of the following committee amendments.

That the title to said bill be stricken out and the following inserted in lieu thereof:

"A bill for an act to amend section eighteen hundred and sixty-nine (1869) of the code and providing a penalty for the crime of embezzlement stated therein."

That sections one (1) and two (2) of said bill be stricken out and the following substituted in lieu thereof.

"Section 1. Section eighteen hundred and sixty-nine (1869) of the code is hereby amended by striking out the period at the end thereof and adding the following, 'and shall be imprisoned in the penitentiary not exceeding ten (10) years or fined in a sum not less than the amount so embezzled, or by both fine and imprisonment.'"

That section three (3) of the bill be renumbered section two (2).

The amendments were adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked: Senate file No. 15, a bill for an act to amend section forty-nine hundred and thirty-six (4936) of the code relating to incest.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No.29, a bill for an act to empower the Governor and Secretary of State to execute quit claim deeds conveying to the grantees of S. Dunham certain lands in section twenty-nine (29), township seventy-three (73) north, range one (1), west of the fifth principal meridian.

C. R. BENEDICT,
Chief Clerk.

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: House file No. 23, a bill for an act providing limitations for the commencement of actions relative to real property.

C. R. BENEDICT,
Chief Clerk

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: House file No. 102, a bill for an act legalizing the incorporation of the Postville Cemetery Association and the acts and proceedings thereof.

C. R. BENEDICT,
Chief Clerk.

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: House file No. 25, a bill for an act making it a misdemeanor for the unlawfully omitting to provide for wife or child.

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: House file No. 83, a bill for an act to repeal section four thousand six hundred thirty-three (4633) of the code providing for recording in the county recorders' offices and to enact a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

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: House file No. 76, a bill for an act to amend section five thousand four hundred twenty four (5424) of the code with reference to granting new trials in criminal cases on account of newly discovered evidence.

C. R. BENEDICT,
Chief Clerk.

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: House file No. 32, a bill for an act to amend chapter ten of title four of the code relative to township officers.

C. R. BENEDICT,
Chief Clerk.

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: House file No. 30, a bill for an act to prevent hazing at any of the colleges or high schools in this state.

C. R. BENEDICT,
Chief Clerk.

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: House file No. 12, a bill for an act relative to the time of bringing action against the estates of decedents.

C. R. BENEDICT,
Chief Clerk.

The Senate resumed consideration of Senate file No. 40.

Senator Lewis moved that the rule be suspended and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass.

The yeas were:

Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Lewis, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Winnie, Young of Lee, Young of Calhoun, Young of Washington—38.

The nays were:

None.

Absent or not voting:

Bleakly, Crawford, Gale, Hogue, Kinne, Lambert, Lyons, Saunders, Stookey, Taylor, Wade, Wilson of Clinton—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended agreed to.

On motion of Senator Smith of Des Moines, Senate file No. 82 a bill to legalize the action of the Board of Supervisors of Des Moines County, Iowa, relative to the sale of school lands in section sixteen (16), township seventy-one (71) north of range one (1) west of the 5th principal meridian and to authorize the Governor to issue a patent therefor to the heirs of John Olson with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Smith of Des Moines moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn Hasselquest, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Lewis, Maytag, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun, Young of Washington.—37.

The nays were:

None.

Absent or not voting:

Bleakly, Crawford, Gale, Hogue, Kinne, Lambert, Lyons, Molsberry, Saunders, Stookey, Taylor, Wade, Wilson of Clinton 13—

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

On motion of Senator Turner, Senate file No. 60, a bill for an act to amend section one thousand four hundred and seven (1407) of the code relating to the collecting of delinquent taxes, with report of committee recommending passage was taken up, considered, and the report of committee adopted.

Senator Turner moved that the rule be supended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Lewis, Maytag, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stuckslager, Turner, Warren. Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Bleakly, Crawford, Gale, Harper, Kinne, Lambert, Lyons, Molsberry, Saunders, Stookey, Taylor, Wade, Wilson of Clinton —13.

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

The President announced as the committee to prepare appropriate resolutions on the death of E. B. Kephart, Senators Stuckslager, Elerick and Stirton.

HOUSE MESSAGE CONSIDERED.

Senate file No. 15, a bill for an act to amend section four thousand nine hundred and thirty-six (4936) of the code relating to incest.

Ordered passed on file.

Senate file No. 29, a bill for an act to empower the Governor and Secretary of State to execute quit claim deeds conveying to the grantees of S. Dunham certain lands in section twenty-nine (29), township seventy-three (73) north, range one (1), west of fifth principal meridian.

Ordered passed on file.

House file No. 23, a bill for an act providing limitations for the commencement of actions relative to real property.

Read first and second time and referred to committee on Judiciary.

House file No. 102, a bill for an act legalizing the incorporation of the Postville Cemetery Association and the acts and proceedings thereof.

Read first and second time and referred to committee on Judiciary.

House file No. 25, a bill for an act making it a misdemeanor for the unlawfully omitting to provide for wife or child.

Read first and second time and referred to committee on Judiciary.

House file No. 83, a bill for an act to repeal section forty-six hundred and thirty-three (4633) of the code providing for recording in the county recorders' offices and to enact a substitute therefor.

Read first and second time and referred to committee on Judiciary.

House file No. 76, a bill for an act to amend section five thousand four hundred and twenty-four (5424) of the code with reference to granting new trials in criminal cases on account of newly discovered evidence.

Read first and second time and referred to committee on Judiciary.

House file No. 32, a bill for an act to amend chapter ten (10) of title four (4) of the code relative to township officers.

Read first and second time and referred to committee on Judiciary.

House file No. 30, a bill for an act to prevent hazing at any of the colleges or high schools in this state

Read first and second time and referred to committee on Judiciary.

House file No. 12, a bill for an act relative to the time of bringing action against the estates of decedents. Read first and second time and referred to committee on Judiciary.

Senator Garst asked unanimous consent that the Senate go into committee of the whole at 10.45 A. M. next Wednesday and so remain until 11.00 A. M. of said day for the purpose of hearing Mrs. Howe of Ohio on Child Labor.

Consent granted.

The Journal of Thursday was taken up, corrected and approved.

The Journal of Friday was taken up, corrected and approved.

Senator Molsberry moved that the Senate do now adjourn
Carried.
Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, January 30th, 1906.

Senate met in regular session at 10 o'olock A. M., President Herriott presiding,

Prayer was offered by the Rev. Ladok W. Steele of Oakville Iowa.

PETITIONS AND MEMORIALS.

Senator Jamison presented petition of 254 citizens of Clark county, asking for the passage of the Crossley Primary Law, the Hughes' Anti-pass Law and the Sankey Two-cent Fare Bill.

Referred to committee on Elections.

Senator Spaulding presented petition of citizens of Charles City in support of a law prohibiting the use of ferrets in the hunting of rabbits and other game.

Referred to committee on Fish and Game.

Senator Molsberry presented petition of forty-two citizens of Letts, Iowa, in favor of insurance investigation.

Referred to committe on Insurance.

Senator Stookey presented petition of 785 citizens of Decatur Union and Ringgold counties in support of Woman Suffrage.

Referred to committee on Constitutional Amendment and Suffrage.

Senator Whipple presented petition of citizens of Benton county in support of a State Marshal law.

Referred to committee on Suppression of Intemperance.

Senator Jones present petition of 106 citizens of Oskaloosa, in support of Woman Suffrage.

Referred to committee on Constitutional Amendment and Suffrage.

Senator Bleakly presented petition of numerous constituents in support of Woman Suffrage submission.

Referred to committee on Constitutional Amendment and Suffrage.

INTRODUCTION OF BILLS.

By Senator Jamison, Senate file No. 113, a bill for an act to appropriate the sum of ten thousand dollars ($10,000) for the relief of Ernest Ireland on account of injuries received while in the employ of the State.

Read first and second time and referred to committee on Claims.

By Senator Molsberry, Senate file No. 114, a bill for an act to amend Section four thousand eight hundred and twenty-one (4821) of the code relative to hunting on enclosed lands.

Read first and second time and referred to committee on Fish and Game.

By Senator Bruce, Senate file No. 115, a bill for an act appropriating the sum of eight hundred sixty-eight and forty-eight one hundredth dollars ($868.48) to be paid to H. W. Tapley and Philip Margon in settlement of all claims against the State of Iowa by reason of the loss of valuable coins abstracted from the Historical Building by an employe of the State.

Read first and second time and referred to committee on Claims.

By Senator Hartshorn, Senate file No. 116, a bill for an act to legalize certain acts and resolutions of the city of Eagle Grove, Iowa.

Read first and second time and referred to committee on Judiciary.

By Senator Brooks, Senate file No. 117, a bill for an act amending section one thousand eight hundred seventy-one (1871) of the code, relating to the examination of state and savings banks.

Read first and second time and referred to committee on Banks and Banking.

By Senator Turner, Senate file No. 118, a bill for an act to regulate the issuance, acceptance and use of free transportation or transportation at less rates than are open to the general public, by railway, street railway and interurban railway companies and to provide penalties for the violation thereof.

Read first and second time and referred to committee on Railroads.

By Senator Stirton, Senate file No. 119, a bill for an act to limit the liability of cities and towns for injuries received on streets, alleys, sidewalks, crosswalks, bridges and culverts.

Read first and second time and referred to committee on Judiciary.

The president announced that he had signed in the presence of the Senate, Senate file No. 23 and 24.

REPORT OF COMMITTEE.

Senator Young of Calhoun, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate file No. 76, a bill for an act to amend section two thousand five hundred and seventy-six (2576) of the code so as to change the dates of the meetings of the State Board of Medical Examiners, beg leave to report that 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 the adoption of the following:

SUBSTITUTE AS AMENDMENT FOR SENATE FILE NO. 76.

A BILL for an act to amend the law as it appears in section two thousand five hundred and seventy six (2576) of the supplement to the code, so as to change the dates of the meetings of the State Board of Medical Examiners.

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

Section 1. That the word "January" be substituted for the word "May" in line three (3) and the word "July" be substituted for the word "November" in line four (4) of section two thousand five hundred and seventy-six (2576) of the supplement to the code.

And when so amended the bill do pass.

YOUNG of Calhoun,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE.

Senator S. H. Harper, from the committee on Military, submitted the following report:

MR. PRESIDENT—Your committee on Military, to whom was referred Senate file No. 81, a bill for an act amending section two thousand six hundred and eighty-five (2685) of the code and the supplement to the code relating to admission to the Iowa Soldiers' Orphans' Home, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following amendments be made: That the title be changed to read as follows:

A BILL for an act to amend the law as it appears in section two thousand six hundred and eighty-five (2685) of the supplement to the code relating to admission to the Iowa Soldiers' Orphans' Home.

T at Section 1 of the bill be also amended to read as follows:

That the law as it appears in section two thousand six hundred and eighty-five (2685) of the supplement to the code be, and is hereby amended by inserting after the word "Soldiers" in the first line of said section, the words "Sailors and Marines," and when so amended that the bill do pass.

S. H. HARPER,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

On motion of Senator Wilson of Clinton, House file No. 2, a bill for an act legalizing the special election of the city of Clinton, Iowa, held March 28th, 1901, whereby certain rights were granted to the Clinton Gas Light and Coke Company, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wilson of Clinton moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hughes, Jackson, Jones, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Washington, —41.

The nays were:

None.

Absent or not voting:

Crawford, Dunham, Gale, Hopkins, Jamison, Kimmel, Saunders, Stuckslager, Young of Calhoun—9.

So the bill having recieved a constitutional majority was declared to have passed the Senate and its title 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 House was asked:

Senate file No. 28, a bill for an act to amend section thirty-six hundred and fifty-two (3652) of the code relating to trial and judgment.

C. R. BENEDICT,
Chief Clerk.

Also:

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:

HOUSE CONCURRENT RESOLUTION.

Resolved, by the House, the Senate concurring: That wherever practicable all appropriations made by the Thirty-first General Assembly, be made for one year only.

C. R. BENEDICT,
Chief Clerk.

On motion of Senator Hogue, House file No. 89, a bill for an act to legalize the organization of the Independent school district of Whiting, Monona county, Iowa, and the acts of its boards of directors with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Hogue moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crossley, Dowell, Eckles, Elerick Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hughes Jackson, Jones, Kinne, Lambert, Lewis, Lyons, Maytag, Molesberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Turner, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee—39.

The nays were:

None:

Absent or not voting:

Bruce, Crawford, Dunham, Hopkins, Jamison, Kimmel, Saunders, Stuckslager, Whipple, Young of Calhoun, Young of Washington—11.

So the bill having secured a constitutional majority was declared to have passed the Senate and its title agreed to.

By unanimous consent Senator Wilson of Fayette offered the following resolution and moved its adoption.

Resolved: That the President of the Senate appoint a committee of three to prepare appropriate resolutions on the death of Rev. Harvey S. Brunson, a former member of this body from Fayette county, who died at his home in Fayette, Iowa, December 8th, 1905.

Adopted.

On motion of Senator Gale, Senate file No. 62, a bill for an act amending section six hundred and twenty-two of the code in relation to the severance of territory from towns and cities, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Gale moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass.

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Eckles, Elerick, Ericson, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hogue, Hopkins, Jackson, Jamison, Jones, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Wade, Warren, Whipple, Wilson of Fayettee, Wilson of Clinton, Winne, Young of Lee, Young of Washington—40.

The nays were:

Hughes—1.

Absent or not voting:

Crawford, Dunham, Garst, Haywood, Kimmel, Saunders, Stuckslager, Turner, Young of Calhoun—9.

So the bill having received a constutional majority was declared to have passed the Senate and its title agreed to.

Senator Dunham from the special committee appointed to visit the School for the Deaf at Council Bluffs, submitted the following report and asked that it be printed in the Journal.

To the President of the Senate and Speaker of the House of Representatives of the Thirty-first General Assembly:

Your joint committee to visit and report upon the School for the Deaf at Council Bluffs, report:

That the entire committee visited the institution on the 15th day of January, 1906, examined the buildings and grounds and visited the various classes while in charge of the instructors. The school is still housed in temporary quarters erected and provided as an emergency measure to accommodate the school and meet its needs after the fire which destroyed the principle buildings in the year. The present accomodations for the school are very cramped and unsatisfactory, but those in charge seem to be doing the most that can be done under the existing circumstances. The new buildings for which appropriation was made by the Thirtieth General Assembly is nearing completion, and will soon be ready for occupancy. Those in charge of the work and the superintendent of the school expressed an assurance that the building would be in condition for use, although probably not completed during the session of the present legislature. The building is a fine structure, built in good and substantial manner of fire proof material, and while the object has been more for convenience and comfort than for ornament, it is in every way a credit to the state. Owing to the peculiar nature of the grounds and the small amount of land therein suitable to be used for the location of buildings and for campus, we recognized the fact that much of the work to be done in making the improvements necessary to put the buildings and grounds in proper shape must be carried forward at one time, and where in ordinary circumstances different parts of the work to be done could be delayed and await the action of future legislators, the appropriations must now be made to provide in large extent for these improvements within the next year. Temporary buildings must be moved and reconstructed for permanent use in other forms and upon other locations upon the grounds than the ones now occupied. Buildings which are to be torn down and removed, but for the urgency of the case, could stand for a short time, but must in this case be removed in the first instance, and in this general removal it seems expedient that the readjustment of the heating apparatus, tunnels, etc., and the re-arrangement of the heating plant and the construction of the new boiler house, should be made at once. The improvements of the grounds by reason of the construction of new buildings and the location of the same, necessitates a great deal of grading and changing of pipes and tunnels. We are of the opinion that the buildings asked for are needed and that the appropriation asked for by the Board of Control is not excessive for the needs of the institution.

We understand that they have been made to cover the period of two years to carry forward the contemplated work on the buildings and grounds for

that period. But the committee in making its recommendations have made them upon the basis of the needs of one year, taking into consideration, as above expressed, however, that much of the work which the Board of Control have outlined, and which to us seems reasonable and necessary must be entered upon and in good measure prosecuted during the coming year, and with that thought this committee has in some instances, recommended the entire amount of the appropriations asked by the board, and in other instances have recommended a less amount or cut the item entirely out, thinking that it could probably await the action of the next legislature.

We wish to report that we were exceedingly well pleased with the spirit that was shown by the management, the instructors, and amongst the students in this school. We were surprised at the magnificent results that had been obtained in many instances in the advancement of the pupils, and the knowledge which they have acquired both in the line of general education and their ability to overcome their physical deficiencies. The discipline of the school seems to be excellent, and the scholars seem to be happy and contented, even in their present cramped position. We feel that the money of the state used in the support of this institution is bringing results worthy of the investment. On inquiry, we are informed by the Superintendent that ninety per cent of the boys and girls attending this institution become self-supporting.

This committee has no hesitancy in recommending and urging that the following appropriations should be made:

SCHOOL FOR THE DEAF.

	Amount asked by Board Control.	Amount recommended by Com.
For fencing	$ 500.00	$ 500.00
For cement walks and grading grounds	5,000.00	1,000.00
For slate blackboards for schoolhouse	1,000.00	.....
For new boiler-house, boilers, attachments, stack, laundry building, engineers' shop, machinery-room, tunnels, equipment and for removing and re-installing engines, dynamos and other machinery	50,000.00	50,000.00
For removing and reconstructing temporary school building	3,000.00	1,500.00
For an additional dynamo and connections	3,000.00	2,000.00
For tools and machinery for the industrial shops	500 00	250.00
For plastering and fitting up basement, corridor and rooms new building	2,500.00	.....
For wrecking old kitchen, dining room and laundry	1,000.00	1,000.00
For library and periodicals and binding	500.00	200.00
For a piggery	1,200.00	1,200.00
For a contingent and repair fund	3,000 00	1,500.00
	$71,200.00	$59,150.00

The above report is respectfully submitted,

GEO. W. DUNHAM,
W. C. STUCKSLAGER
H. B. KLING,
L. J. LEECH,
R. H. POWERS.

Ordered passed on file.

Senator Kinne moved that 300 extra copies of Senate file No 27 be ordered printed.

Carried.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Turner, from the committee onEnrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 23, a bill for an act to legalize the action of the Independent School District of West Des Moines, Polk county, Iowa, in voting bonds at an election held on the 13th day of March, 1905, and legalizing the bonds issued by said school district under said election.

DAN TURNER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 24, a bill for an act to legalize the incorporation of the town of Harvey, Marion county, Iowa.

DAN TURNER,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turner, from the joint committee on Enrolled Bills, submitted the following report:

MR PRESIDENT-Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 23, a bill for an act to legalize the action of the Independent School District of West Des Moines, Polk county, Iowa in voting bonds at an election held on the 13th day of March, 1905, and legalizing the bonds issued by said school district under said election.

DAN TURNER,
Chairman Senate Committee.
H. L. SPAULDING,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT–Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 24, a bill for an act to legalize the incorporation of the town of Harvey, Marion county, Iowa.

DAN TURNER.
Chairman Senate Committee.
H, L. SPAULDING,
Chairman House Committee.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate file No. 24, a bill for an act to legalize the incorporation of the town of Harvey, Marion county, Iowa.

Also:

Senate file No. 23, a bill for an act to legalize the action of the Independent School District of West Des Moines, Polk county, Iowa, in voting bonds at an election held on the 13th day of March, 1905, and legalizing the bonds issued by said school district under said election.

DAN TURNER,
Chairman.

The Journal of yesterday, was taken up, corrected and approved.

The president announced as the committee to prepare appropriate resolutions on the death of Rev. Harvey S. Brunson, Senators Wilson of Fayettee, Newberry, and Taylor.

Miss Agnes Thomas appeared before the bar of the Senate and was duly sworn as clerk of the committee on Claims.

Senator Dowell moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, January 31, 1906.

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. Dr. E. Benson, Brooklyn, Iowa.

On request of Senator Lambert, leave of absence was granted Senator Gillilland until Friday morning.

PETITIONS AND MEMORIALS.

Senator Elerick presented petition of his constituents in favor of the Woman's Suffrage amendment.

Referred to committee on Constitutional Amendment and Suffrage.

Senator Kinne presented petition of his constituents in favor of the Woman's Suffrage amendment.

Referred to committee on Constitutional Amendment and Suffrage.

Senator Ericson presented petition of his constituents in favor of the Woman's Suffrage amendment.

Referred to committee on Constitutional Amendment and Suffrage.

Senator Brooks presented petition of citizens of Keokuk county, to enact a law requiring all druggists to pay a license of not less than $500.00 per year for the privilege of selling intoxicating liquors.

Referred to committee on Suppression of Intemperance.

Senator Whipple presented petition of petitioners and citizens of Iowa, in favor of the State Marshal bill.

Referred to committee on Suppression of Intemperance.

Senator Harper presented petition of Eli Smith for a pension or service rendered during the Civil War for scouting and protecting property in the southern border counties.

Referred to committee on Military.

INTRODUCTION OF BILLS.

By Senator Eckles, Senate file No. 120, a bill for an act appropriating money for the use of the Iowa Soldiers Home.

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

By Senator Wilson of Fayette (by request,) Senate file No. 121, a bill for an act providing for the nomination by political parties or organizations of candidates for various offices and the election of delegates to conventions of said political parties or organizations by a primary election and otherwise for the holding of conventions by such political parties or organizations.

Read first and second time and referred to committee on Elections.

By Senator Ericson, Senate file No. 122, a bill for an act to amend section one thousand four hundred sixty-seven (1467) of the code relating to assessment and collection of collateral inheritance tax.

Read first and second time and referred to committee on Ways and Means.

By Senator Courtright, Senate file No. 123, a bill for an act to amend section forty-one hundred fourteen (4114) of the code, relating to appeals in the Supreme Court.

Read first and second time and referred to committee on Judiciary.

By Senator Courtright, Senate file No. 124, a bill for an act to appropriate money for the use of Iowa manufacturers in exhibiting their products.

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

By Senator Courtright, Senate file No. 125, a bill for an act to amend section fourteen hundred sixty-seven (1467) of the code relative to assessment and collection of collateral inheritance tax.

Read first and second time and referred to committee on Judiciary.

By Senator Courtright, Senate file No. 126, a bill for an act for the protection of birds, their nests and eggs, the whole being additional to chapter fifteen (15), title twelve (12) of the code.

Read first and second time and referred to committee on Fish and Game.

By Senator Hayward, Senatc file No. 127, a bill for an act to legalize the proceedings of the city council of the city of Davenport in improving a portion of Eddy street, and the Davenport and Le Claire road and the re-levy of the assessment of the cost thereof.

Read first and second time and referred to committee on Judiciary.

By Senator Saunders Senate, file No. 128, a bill for an act to prescribe conditions for the organization or authorization of fraternal beneficiary societies, orders or associations.

Read first and second time and referred to committee on Insurance.

By Senator Warren, Senate file No. 129, a bill for an act making appropriations for construction, improvement, repairs and contingent funds for the State Hospital for Inebriates at Knoxville.

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

By Senator Stirton ,Senate file No. 130, a bill for an act making appropriations for construction, improvement, repairs and contingent funds for the State Penitentiary at Anamosa.

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

By unanimous consent, Senator Courtright offered the following concurrent resolution:

CONCURRENT RESOLUTION.

Resolved by the Senate, the House concurring, That a joint convention of the Senate and House of Representatives be held in the chamber of the House of Representatives on the 9th day of February, A. D. 1906, at 11:30 o'clock A. M., for the purpose of electing a State Printer and a State Binder; also regents of the State University of Iowa, for the First, Second, Sixth andSeventh, districts; trustees of the Iowa State College of Agriculture for the Fifth, Seventh, Tenth and Eleventh districts; and trustees of the Iowa State Normal School to succeed I. J. McDuffie and Roger Leavitt.

Laid over.

HOUSE MESSAGE CONSIDERED.

Senate file No. 28, a bill for an act to amend section three thousand six hundred fifty-two (3652) of the code relating to trial and judgment.

Ordered passed on file.

Concurrent resolution relative to appropriations made by the Thirty-first General Assembly.

Senator Lewis moved the adoption of the concurrent resolution.

Adopted.

REPORT OF COMMITTEE.

Senator Dowell, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 76, a bill for an act to amend section fifty-four hundred twenty-four (5424) of the code with reference to granting new trials in criminal cases on account of newly discovered evidence, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by inserting after the enacting clause, the words and figures "Section 1."

That Section 1 be amended by striking out the first two lines of said section and inserting in lieu thereof the following:

"Section fifty-four hundred twenty-four (5424) of the code is hereby amended by adding thereto the following as sub-division nine" and when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 48, a bill for an act to legalize the acts of the Board of Directors and electors, and authorize the issuing of forty thousand dollars ($40,000.00) in school building bonds in the Independent District of Lyons City, Clinton county, Iowa, and to validate said bonds, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

C. C. DOWELL,
Chairman,

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 71, a bill for an act to amend section two hundred fifteen (215) of the code relative to the distribution of reports of 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 same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 70, a bill for an act to amend section four hundred twelve (412) of the code in relation to the times of the meetings 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 the same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 72, a bill for an act to amend section thirty-one hundred seventy-three (3173) of the code relating to 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 same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 77, a bill for and act amending section three thousand one hundred eighty one (3181) of the code, relating to divorce, beg leave to report that 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. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 96, a bill for an act to amend section twenty-seven hundred sixty-eight (2768) of the code in relation to School House Funds, beg leave

to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 102, a bill for an act legalizing the incorporation of the Post ville Cemetery Association and the acts and proceedings thereof, particularly with reference to the title to real estate acquired by the said Cemetery Association in the transaction of its business, beg leave to report that 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. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 83, a bill for an act to repeal section forty-six hundred thirty-three (4633) of the code and to enact a substitute therefor, providing for the recording in the county recorder's offices, United States and State patents, and certified copies of such patents, and making such reports and certified copies thereof competent evidence, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out the words "section 4633" in the third line of section one (1), and when so amended the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Senator Courtright, 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. 106, a bill for an act to amend the law as it appears in section six hundred ninety-seven (697) of the code, relating to the powers of cities and towns with reference to their cemeteries, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

O. B. COURTRIGHT,
Chairman.

Ordered passed on file.

Senator Dowell, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 47, a bill for an act to amend section ten hundred seventy-six (1076) in chapter two (2) of title six (6) of the code, relating to the registration of voters, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

By striking from the second line of the title the following words "In chapter (2) of title six (6)."

Amend section one (1) by striking out the word "That" in the first line of said section.

Amend section one (1) by striking out the words "chapter two (2) title six (6)" in the second line of said section.

Amend section (1) by striking out the words "be and the same" in third line of said section.

Amend section three (3) by striking out all after the word "the" in the third line, and inserting in leiu thereof the following: "Register and Leader and Des Moines Daily Capital, newspapers published at Des Moines, Iowa."

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Senator Crossley, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools to whom was referred Senate file No. 30, a bill for an act to repeal sections twenty seven hundred thirty-four (2734), twenty seven hundred thirty-five (2735), twenty seven hundred thirty-six (2736) and twenty seven hundred thirty-seven (2737) of the code and sections twenty seven hundred thirty-four (2734), twenty seven hundred thirty-six (2736) and twenty seven hundred thirty-seven (2737) of the supplement to the code and to define the qualifications of county superintendents to provide for the examination and certification of teachers for the public schools; the classifications of teachers, certificates and the registration of the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

That the title of the bill be amended by inserting after the word "Sections" in the first line of the title the words and figures "Twenty-six hundred thirty two (2632)", by striking out after the comma following the figures "2737" the words and figures "Chapter thirteen (13), title thirteen (13)" by striking out after the word "code" in the fourth line of the title the words "of Iowa", by inserting after the word "and" in the fourth line of the title the words "the law as it appears in", by striking out after the comma following the figures "2737" in the sixth line of the title the words and figures "Chapter thirteen (13), title thirteen (13)", and by striking out after the word "code" in the seventh line of the title the words "of Iowa".

That section 1 be amended by inserting after the word "Sections" in the first line thereof the words and figures "Twenty-six hundred thirty-two (2632)", by striking out after the comma following the figures "2737" in line three of section 1 the words and figures "Chapter thirteen (13), title thirteen (13)", by striking out after the word "code" in line three of section 1 the words "of Iowa", by striking out after the comma following the figures "2737" in line five of section 1 the words and figures "Chapter thirteen (13), title (13)", and by striking out after the word "code" in the fifth line of section 1 the words "of Iowa".

That section 2 be amended by striking out after the word "and" in the second line thereof the words and figures "after January 1st, 1909, of a state certificate or diploma", by striking out after the word "he" in the ninth line the words "may at his discretion" and inserting in lieu thereof the word "shall", by striking out the comma and the words "and shall upon request of", following the word "county" in the tenth line of section 2 and inserting in lieu thereof the words "at least once during the school year and at such other times as he may be requested by", and by striking out after the words "of any school" the words "township, district or independent district, visit any school therein, at least once during its term" and inserting in lieu thereof the word "corporation".

That section 3 be amended by inserting after the word "preceding" in the first line thereof the word "in", and by striking out the word "he" in line three, by striking out the word "require" in line three of said section and inserting in lieu thereof the words "be necessary", by inserting after the words "board of" in line six the word "educational", and by striking out after the word "printed" in the seventh line of said section the words "by such party or parties as they may select".

That section 4 be amended by inserting after the words "United States" in the third line thereof the word "didactics" and a comma, and by inserting after the word "physics" in the third line thereof the words "elementary civics" and a comma.

That section 5 be amended by inserting after the comma following the word "algebra" in the third line thereof the word "and".

That section 7 be amended by striking out the word "some" in the fifth line thereof and inserting in lieu thereof the words "at least."

That section 10 be amended by stricking out the word "if" in the third line thereof and inserting in lieu thereof the word "when", and by striking out word "the" in the fifth line of said section and inserting in lieu thereof the word "a".

That section 13 he amended by striking out after the words "of the" in the sixth line the words "state educational board of" and inserting in lieu thereof the words "board of educational".

That section 14 be amended by striking out the word "these" in the third line and inserting in lieu thereof the words "the county superintendents so chosen", and by combining the second paragraph of the said section with the first paragraph thereof and thus include the whole of said section in one paragraph.

That section 17 be amended by striking out after the words "fee of" in the third line the words "fifty cents" and inserting in lieu thereof the words "one dollar".

That section 19 be amended by inserting a comma and the words "and thereupon provisional certificates may be issued by the board of educational examiners" after the word "examinations" and before the period in the fifth line thereof.

That section 21 be amended by striking out after the comma following the word "diploma" in the ninth line the words "the same to be effective" and by inserting in lieu thereof the words "and the same shall become operative and of full force and effect," by striking out after the word "within" the word "the" in the thirteenth line of said section and by inserting after the word "days" and before the comma in the thirteenth line of said section the words "from the date of such mailing" and by stricking out in the 17th line of said section the words "educational board of" and inserting in lieu thereof the words "board of educational."

That section 22 be amended by inserting after the word "board" in the second line of said section the words "of educational."

That section 23 be amended by striking out following the word "after" the words "January 1, 1907" and inserting in lieu thereof "October 1, 1906."

And that when so amended the bill do pass.

JAS. J. CROSSLEY,
Chairman.

Ordered passed on file.

Also:

Senator Courtright, 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. 53, a bill for an act to amend the law as it appears in section eight hundred fifty (850) of the code, relating to park 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 substitute therefor, and that the same do pass.

O. B. COURTRIGHT,
Chairman.

Ordered passed on file.

SUBSTITUTE FOR SENATE FILE NO. 53.

A BILL for an act to amend the law as it appears in section eight hundred fifty (850) of the supplement to the code, relating to park commissioners.

Be it enacted by the General Assembly of the state of Iowa:

Section 1. The law as it appears in section eight hundred fifty (850) of the supplement to the code is hereby amended by striking out all of said section after the word "three" in the fifth line thereof, and enacting in lieu thereof the following:

"Or six park commissioners, whose term of office shall be six years, one third of the number to be elected each even numbered year; but at the first election hereafter the number elected shall only be sufficient to complete the

whole number of the board as fixed by ordinance, and shall be divided into classes, and hold their offices for two, four and six years respectively, and who shall by lot determine their respective terms."

Read first and second time and passed on file.

Senator Elerick from the Special Committee appointed to visit the Soldiers' Home, at Marshalltown, Iowa, submitted the following report, and asked that it be printed in the Journal:

MR. PRESIDENT—The joint committee appointed by the Thirty-first General Assembly to visit the Soldiers' Home at Marshalltown, Iowa, beg leave to submitt the following report:

We visited the Home on Friday, January 12th. Colonel Horton, the Commandant, assisted by his subordinates, Adjutant Walker, Dr. Duffield and Chaplain Cole gave us every facility for realizing the object of our visitation.

We made a thorough investigation of buildings and ground, being directed by the Commandant to places of interest. In making our inspection we consulted with inmates of various wards and several patients in the hospitals, and where deemed advisable inquiries were made in the absence of the officials of the Home. We desire to commend the excellent service which is being rendered the State by the Board of Control and the officials of this institution.

Good management was manifested in every department with one exception, and we were especially impressed with the discipline, order and cleanliness apparent in every part of the Home.

The above exception as to management is the fault of the General Assembly in not providing means for the erection of a coal house with a capacity sufficient for the needs of the Institution.

We found the Hospital and the Old Peoples' Building crowded, and the need for more hospital room, especially, is one that appealed to your committee, as requiring immediate attention. This department, for obvious reasons, is rapidly becoming for the veterans of 1861 the most important, and for a few years to come there will be a rapid growth in the demand for hospital services.

We are of the opinion that appropriations should be made in accord with the suggestions of the Board of Control, as follows, viz:

APPROPRIATIONS ASKED BY THE BOARD OF CONTROL OF STATE INSTITUTIONS FOR THE IOWA SOLDIERS' HOME AT MARSHALLTOWN:

For a quartermaster's building and storehouse and for taking light, heat, water and sewer to same and for equipping same.	$10,000.00
For a coal house	4,500.00
For an addition to women's dormitory and for furnishing and equipping same	15,000.00
For an addition to women's hall, including equipment and furnishing	3,500.00
For enlarging pump room	1,200.00
For reservoir and connection with city water system	5,000.00
For new bake oven and setting	1,300.00
For new mangle	1,800.00

For cement floors, furniture and repair fund	8,000.00
For Grand Army Hall and equipment	1,000.00
For improvement of grounds	2,000.00
For fire protection	1,800.00
For addition to boiler house, fire proof	2,500.00
For three steam boilers and connections	6,000.00
For new additions to the hospital, fireproof, including heating, plumbing, lighting and furnishings	30,000.00
Total	$93,600.00

Respectfully submitted,

JAMES ELERICK,
J. HUGHES, JR,
E. J. C. BEALER,
EDWARD BOLAND,
PHILIP HELES.

Dated January 29, 1906.

Ordered passed on file.

THIRD READING OF BILLS.

On motion of Senator Young of Calhoun, Senate file No. 52, a bill for an act, making appropriations for the benefit of the Industrial School for Boys at Eldora, with report of committee recommending passage was taken up, considered and the report of the committee adopted.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate in regular session.

Senator Young of Calhoun moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—46.

The nays were:

None.

Absent or not voting:

Crawford, Gillilland, Stuckslager, Turner—4.

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

On motion of Senator Young of Calhoun, House file No. 83, a bill for] an act to repeal section four-six hundred thirty-three (4633) of the code and to enact a substitute therefor, providing for recording in the county recorder's office, United States and State Patents, and certified copies of such patents, and making such reports and certified copies thereof competent evidence, with report of committee recommending an amendment, and passage, was taken up, considered, and the report of the committee adopted.

Senator Young of Calhoun moved the adoption of the following committee amendment, by striking out the figures "Section 4633" in the third line of section one (1)

The amendment was adopted.

The bill as amended was read for imformation.

The time having arrived the President announced the Senate as in Committee of the Whole for the purpose of hearing Mrs. Howe, of Ohio, on Child Labor.

The President announced the Senate as in regular session.

The Senate resumed consideration of House file No. 83.

Senate Young of Calhoun moved that the rule be suspended, and that the bill be considered engrossed, and the reading just had be considered its third reading which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Saunders ,Stookey, Stuckslayer, Taylor, Turner, Wade,Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—44.

The nays were:

None.

Absent or not voting:

Crawford, Gale, Gillilland, Hogue, Warren, Winne.—6.

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

Substitute as an amendment for Senate file No. 76 was read first and second time.

On motion of Senator Young of Washington, Senate file No. 81, a bill for an act amending section 2685 of the code and the supplement to the code relating to admission to the Iowa Soldiers' Orphans' Home, with report of committee recommending amendments was taken up, considered, and the report of the committee adopted.

Senator Young of Washington moved the adoption of the following committee amendment:

That the title be changed to read as follows:

A bill for an act to amend the law as it appears in section two thousand six hundred eighty-five (2685) of the supplement to the code relating to admission to the Iowa Soldiers' Home.

Adopted.

Senator Young of Washington moved the adoption of the following committee amendment:

That section 1 of the bill be also amended to read as follows:

That the law as it appears in section two thousand six hundred eighty-five (2685) of the supplement to the code be, and is hereby amended by inserting after the word "Soldiers" in the first line of said section the words "Sailors and Marines."

Adopted.

Senator Young of Washington moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Harts-

horn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—47.

The nays were:

None.

Absent or not voting:

Crawford, Hogue, Molsberry—3.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

CONCURRENT RESOLUTION relative to publishing fifteen thousand copies of the last annual report of the Iowa State Highway Commission.

WHEREAS, The law creating the State Highway Commission makes no provision for the printing of its annual reports made to the Governor, and,

WHEREAS, The report for the year ending July 1st, 1905, contains a large amount of information of special interest and value to the farmers and road builders of Iowa; therefore be it

Resolved by the House, the Senate concurring: That fifteen thousand copies of said report be printed in pamphlet form for distribution by said Highway Commission.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 105, a bill for an act to amend section four thousand nine hundred thirty-eight (4938) of the code and to make provision for the penalty for a second offense.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 99, a bill for an act to legalize the general taxes of special charter cities.

C. R. BENEDICT,
Chief Clerk.

Senator Maytag offered the following resolution and moved its adoption:

Resolved, That the secretary of the Senate be instructed to provide a calendar from time to time of all bills on third reading in the order that the same are reported from the standing committees and also of joint and concurrent resolutions.

Adopted.

Senator Crossley moved that 500 extra copies of Senate file No. 2 be ordered printed.

Carried.

Senator Turner moved that 300 extra copies of Senate file No. 19 be ordered printed.

Carried.

Senator Warren moved that Senate file No. 30 be made a special order for February 7th at 10:30 o'clock A. M.

Carried.

The Journal of yesterday was taken up, corrected and approved.

Senator Lewis moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER
DES MOINES, IOWA, Thursday, February 1st, 1906.

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. W. Edward McLeod, D. D., of Warfield, Iowa.

PETITIONS AND MEMORIALS.

Senator Young of Calhoun presented petition of two hundred constituents in favor of the submission of woman suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Jones presented petition of ninety-two constituents in favor of woman suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Ericson presented petition of one hundred thirty-seven constituents in support of woman suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

PETITIONS AND MEMORIALS.

Senator Smith of Des Moines presented petition of Iowa Daughters of American Revolution and Regent Stars and Stripes of Burlington in support of an appropriation to erect suitable monument over the grave of John Morgan, a revolutionary soldier buried in Aspen Grove cemetery.

Referred to committee on Appropriations.

Senator Saunders presented petition of six hundred ninety constituents in support of woman suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Hughes presented resolutions passed by the Corn Belt Meat Producer's association at meeting heldat Marengo, January 31, 1906, in support of the anti-pass law and a pure food law.

Referred to committee on Public Health.

Senator Wade presented petition of the Civics Club of Green, Iowa, in support of woman suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Stookey presented petition of forty-eight citizens of Ringgold county in favor of a primary law.

Referred to committee on Elections.

INTRODUCTION OF BILLS.

By Senator Warren, Senate file No. 131, a bill for an act providing for the purchase and erection of a monument at the grave of William M. Stone and making an appropriation therefor.

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

By Senator Saunders, Senate file No. 132, a bill for an act to amend the law as it appears in chapter forty-one (41), section two (2), acts Twenty-eighth General Assembly of Iowa, section thirteen hundred six (1306), code supplement 1902, relating to limiting the indebtedness of political and municipal corporations.

Read first and second time and referred to committee on Cities and Towns.

By Senator Saunders, Senate file No. 133, a bill for an act to grant and relinquish to the city of Council Bluffs, Iowa, the title of the State of Iowa in and to Big or Spring Lake located in Pottawattamie county, Iowa.

Read first and second time and referred to committee on Public Lands.

By Senator Saunders, Senate file No. 134, a bill for an act to amend the law as it appears in section seven hundred forty-five (745) code supplement 1902, relating to the purchase or erection of waterworks by cities and conferring additional powers with reference thereto on certain cities.

Read first and second time and referred to committee on Cities and Towns.

By Senator Winne, Senate file No. 135, a bill for an act to amend section two thousand fifty-two (2052) of the code.

Read first and second time and referred to committee on Ways and Means.

By Senator Gale (by request), Senate file No. 136, a bill for an act additional to and amendatory of the law as it appears in chapter six (6) of title twelve (12) of the code of 1897, and supplement to the code, relating to intoxicating liquors, providing for the appointment of district marshals and their deputies describing their duties, fixing their compensation and creating a fund therefor.

Read first and second time and referred to committee on Suppression of Intemperance.

HOUSE MESSAGES CONSIDERED.

Concurrent Resolution relative to publishing 15000 copies of the last annual report of the Iowa State Highway Commission.

Ordered passed on file.

House file No. 99, a bill for an act to legalize the general taxes of special charter cities.

Read first and second time and referred to committee on Judiciary.

House file No. 105, a bill for an act to amend section four thousand nine hundred thirty-eight (4938) of the code and to make provision for the penalty for a second offense.

Read first and second time and referred to committee on Judiciary.

By unanimous consent, Senator Hasselquist moved that the Senate concur in the concurrent resolution relative to publishing 15,000 copies of the last annual report of the Iowa State Highway Commission.

Carried.

Senator Newberry moved that 200 extra copies each of Senate files number 5 and 6 be ordered printed.

Carried.

REPORT OF COMMITTEE.

Senator Dowell, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 65, a bill for an act to make money lost at gambling a lien on the real estate and premises so used, beg leave to report that 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.

C. C. DOWELL,
Chairman.

Adopted.

Senator Dowell, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 25, a bill for an act providing for the punishment of any one who willfully fails to provide food, clothing, shelter or medical attendance for his wife or children under fifteen years of age, beg leave to report that 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.

C. C. DOWELL,
Chairman.

Adopted.

Also:

MR. PRESIDENT,—Your committee on Judiciary, to whom was referred Senate file No. 71, a bill for an act to amend section three thousand five hundred forty (3540) of the code in relation to the publication of original notices in commencement of actions against unknown defendants, and length of publication, beg leave to report that 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. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee an Judiciary, to whom was referred House file No. 87, a bill for an act authorizing and empowering the Governor or his successors in office, to execute, acknowledge and deliver instruments of conveyance to the present owners, or their grantees, of the northeast quarter (¼) of section seventeen (17) township ninety-two (92) north range forty-five (45) west of the 5th principal meridian, Plymouth county, Iowa, for the purpose of correcting the titles 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 same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 125, a bill for an act to amend section one thousand four hundred sixty-seven (1467) of the code, relative to assessment and collection of 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 the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

President pro tem Smith was called to the chair at 10.20 A M.

REPORT OF COMMITTEE.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate file No. 99, a bill for an act making an appropriation to defray the expenses of the reception tendered ex-Governor Wm. Larrabee by the Thirty-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 wtih the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate file No. 103, a bill for an act making an appropriation of the sum of forty-nine hundred seventy-eight dollars and twenty-seven cents ($4978.27) to Albert B. Cummins, W. B. Martin, B. F. Carroll and G. S, Gilbertson to reimburse them for funds advanced for the purpose of completing the tabulation of the State census of 1905, beg leave to report that 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.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate file No. 102, a bill for an act making an appropriation to cover deficiency on account of additional employes of the Thirtieth General Assembly, and to pay additional employes of the Thirty-First General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do psss.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on appropriations to whom was referred Senate file No. 104, a bill for an act to make an appropriation to defray the mileage and expenses of the members of the two joint committees appointed by the Thirtieth General Assembly under joint resolution, originating in the Senate, numbered six and seven, beg leave to report that 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.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Dunham, from the committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your committee on Suppression of Intemperance, to whom was referred Senate file No. 59, a bill for an act to amend section twenty-four hundred fifty (2450), of the code relating to the sale of intoxicating liquors under the Mulct 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 same do pass.

GEO. W. DUNHAM,
Chairman.

Ordered passed on file.

Senator Brooks from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture to whom was referred Senate file No. 89, a bill for an act to amend section nineteen hundred seventy-six (1976) and nineteen hundred seventy-seven (1977), nineteen hundred seventy-nine (1979), nineteen hundred eighty-two (1982), nineteen hundred eighty-four (1984) and nineteen hundred eighty-six (1986) of the code relating to levees built by the United States, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill accompanying this report be substituted therefor and that substituted bill do pass.

JOHN T. BROOKS,
Chairman

SUBSTITUTE FOR SENATE FILE NO. 89.

A BILL for an act to amend sections nineteen hundred and seventy-six (1976) nineteen hundred seventy-seven (1977) nineteen hundred seventy-nine (1979), nineteen hundred eighty-two (1982), nineteen hundred eighty four (1984), and nineteen hundred eighty-six (1986) of the code relating to levees built by the United States.

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

Section 1. That section nineteen hundred seventy-six (1976) of the code be and the same is hereby repealed and the following enacted in lieu thereof:

Proceedings as contemplated by the preceding section may be begun by filing with the County Auditor a petition asking the Board of Supervisors to form a levee or a drainage district, for any one or all of the purposes specified in section nineteen hundred seventy-five (1975) hereof. Said petition shall be signed by one or more owners of lands lying within the limits of such proposed district; the general limits of said district shall be given therein, and a plat of the proposed district shall be filed with said petition. There shall be filed with said petition a bond, with sureties approved by the County Auditor, conditioned for the payment of all costs and expenses incurred, in case the Board of Supervisors shall refuse to grant the prayer of the petition.

Sec. 2. That section nineteen hundred and seventy-seven (1977) of the code be amended by striking out, beginning with the last word in the eleventh line, the following: "They shall also classify the lands within the limits of such district as they recommend, grading the same as 'dry' 'low' 'wet', making such classification, so far as practicable, in forty acre tracts, code be by government subdivisions."

Sec. 3. That section nineteen hundred seventy-nine 1979) of the code be repealed and the following enacted in lieu thereof:

At the time named, or at such other time to which the Board of Supervisors may adjourn the matter, they shall proceed with the hearing, at which any interested parties may appear, either in person or by counsel, and be heard, and may file written pleadings. The Board shall hear and determine the matter, and if they determine against the formation of such district, they shall dismiss the proceedings at the cost of the petitioners. If they shall decide to form such levee or drainage district, they shall proceed to fix the boundaries of the same, and their finding shall be entered upon their records. The finding and the report of the commissioners shall be compe. tent evidence at the hearing above provided for, but shall not be conclusive-

Sec. 4. That section nineteen hundred eighty-two (1982) of the code be repealed and the following enacted in lieu thereof:

If said district is established, the entire costs and expenses incurred under this chapter shall be assessed against and collected from the lands lying within such district, by the levy of a rate upon the assessable value of the land within such district, sufficient to raise the required sum, provided that where the proposed improvement is for drainage only the Board may, in their discretion, classify the land within such district and graduate the tax thereon, as provided in section sixty-eight (68) of the laws of the Thirtieth

General Assembly. When the Board decides to make such classification, they shall proceed in the manner set forth in section twelve (12) of said section sixty-eight (68), and the commissioners shall each be allowed three dollars per day.

Sec. 5. That section nineteen hundred and eight-four (1984) of the code be repealed and the following enacted in lieu thereof:

If the proposed improvement is the maintenance of a levee, the amount collected in any one year shall not exceed two and one-half mills on the dollar of the assessment valuation. If the amount necessary to pay for the improvement, under section nineteen hundred and eight-two (1982) hereof, exceed said sum, it shall be levied and collected in annual installments. For all other improvements, the Board shall levy a rate sufficient to pay for the same, and may, at their discretion, make the same payable in annual installments of ten or less.

Sec. 6. That section nineteen hundred eighty-six (1986) of the code be amended by striking out all of the seventh line thereof and inserting in lieu thereof the following:

"Exceeding three mills on the dollar on the assessable value of the lands within the district."

Sec. 7. This act being deemed of immediate importance shall be in force on and after its publication in the Des Moines Register and Leader and the Des Moines Daily Capital.

Read first and second time.

Ordered passed on file.

Senator Whipple, from the committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance, to whom was referred Senate file No. 42, a bill for an act to amend the law as it appears in section seventeen hundred nine (1709) of the supplement to the code, relating to insurance on live 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 recomendation that the attached bill be enacted and substituted therefor and that same do pass.

W. P. WHIPPLE,
Chairman.

COMMITTEE SUBSTITUTE FOR SENATE FILE NO. 42.

A BILL for an act to amend the law as it appears in section one thousand seven hundred nine (1709) of the supplement to the code, relative to insurance of live stock.

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

Section 1 The law as it appears in section one thousand seven hundred

nine (1709) of the code is hereby amended by adding after the last word in sub-division four (4) of said section the following:

"and stock companies may insure horses against loss by death from disease or accident."

Section 2. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily News, newspapers published in the city of Des Moines, Iowa.

Read first and second time and ordered passed on file.

Senator Stuckslager, from the committee on Banks and Banking, submitted the following report:

MR. PRESIDENT—Your committee on Banks and Banking, to whom was referred Senate file No. 39, a bill for an act repealing sections eighteen hundred seventy-two (1872) and eighteen hundred seventy-three (1873) of the code relating to quarterly statements of state saving banks and examinations by the Auditor of State and providing 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 same be amended by striking out the second word "or" in line six of section two (2) of the original bill and substituting in lieu thereof the word "and", and when so amended the bill do pass.

W. C. STUCKSLAGER,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

By unanimous consent.

On motion of Senator Molsberry, Senate file No. 89, a bill for an act to amend sections nineteen hundred seventy-six (1976,) nineteen hundred seventy-seven (1977), nineteen hundred seventy-nine (1979), nineteen hundred eighty-two (1982) nineteen hundred eighty-four (1984) and nineteen hundred eighty-six (1986) of the code relating to levees built by the United States with report of committee recommending the adoption of a substitute and passage was taken up, considered, and the report of the committee adopted.

Senator Molsberry moved the adoption of the substitute for Senate file No. 89.

Adopted.

By Senator Molsberry moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington —47.

The nays were:

None.

Absent or not voting:

Gillilland, Hopkins, Whipple—3.

Senator Molsberry moved to amend the title so that the same shall read as follows:

A BILL for an act to repeal sections nineteen hundred seventy-six (1976), nineteen hundred seventy-nine (1979), nineteen hundred eighty-two (1982), and nineteen hundred eighty-four (1984) of the code and to enact substitutes therefor, and to amend section nineteen hundred seventy seven (1977) andnineteen hundred eighty-six (1986) of the code, relating to levees built by the United States.

Adopted.

So the bill having received a constitutional majority was delared to have passed the Senate and its title as amended 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. 117, a bill for an act to amend section three thousand sixty-a-one hundred thirty-two (3060-a-132) of the supplement to the code relating to negotiable instruments.

C. R. BENEDICT,
Chief Clerk.

President Herriott resumed the chair at 10:55 A. M.

Senate resumed third reading of bills.

House file No. 47, a bill for an act to amend section ten hundred seventy-six (1076) in chapter two (2) of title six (6) of the code, relating to the registration of voters, with

report of committee recommending amendments was taken up, considered, and the report of the committee adopted.

Senator Dowell moved the adoption of the following committee amendments.

By striking from the second line of the title the following words "In chapter (2) of title six (6)."

Amend section one (1) by striking out the word "That" in the first line of said section.

Amend section one (1) by striking out the words "chapter two (2) title six (6)" in the second line of said section.

Amend section (1) by striking out the words "be and the same" in third line of said section.

Amend section three (3) by striking out all after the word "the" in the third line, and inserting in lieu thereof the following: "Register and Leader and Des Moines Daily Capital, newspapers published at Des Moines, Iowa."

Adopted.

The bill as amended was read for information.

Senator Dowell moved that the rule be suspended, and that the bill be considered engrossed, and the reading just had be considered the third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Crossley, Dowell Dunham, Eckles, Elerick, Ericson, Gale, Garst, Harper, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Wilson of Fayette, Wilson of Clinton Winne, Young of Lee, Young of Calhoun, Young of Washington—45.

The nays were:

None.

Absent or not voting:

Bruce, Gillilland, Hartshorn, Lewis, Whipple—5.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended agreed to.

House file No. 72, a bill for act to legalize the incorporation of the town of Dow City, Crawford county, Iowa, the election of its officers, the acts done and ordinances passed by the council of said town and to define the limits thereof, with report of committee reeommending amendments was taken up, considered, and the report of the committee adopted.

Senator Hogue moved the adoption of the following committee amendment:

Strike from section one (1) all after the word "litigation" in the twenty-first (21) line thereof.

Adopted.

The bill as amended was read for information.

Senator Hogue moved that the rule be suspended, and that the bill be considered engrossed, and the reading just had be considered its third reading which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elrick, Ericson, Gale, Garst, Harper, Hartshorn, Hasselquest, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—47.

The nays were:

None.

Absent or not voting:

Gillilland, Jones, Turner—3.

So the bill having received a constutional majority was declared to have passed the Senate and its title agreed to.

Senate file No. 21, a bill for an act to repeal section forty-nine hundred sixty-nine (4969) of the code and enact a substitute therefor, providing for the punishment of cruelty to animals, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Hayward asked unanimous consent that the bill be re-referred to the Judiciary committee and retain its place on the calendar.

Granted.

Senate file No. 54, a bill for an act additional to chapter three (3), title sixteen (16) of the code, in relation to divorce and alimony, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

So the bill was indefinately postponed.

Senator Lewis from the joint committe appointed to visit the Iowa State College of Agriculture and Mechanic Arts submitted the following report and asked that it be printed in the Journal.

Granted.

To the President of the Senate, Speaker of the House and Members of the Thirty-First General Assembly of the State of Iowa.

We, your joint committee, appointed to visit the Iowa State College of Agriculture and Mechanic Arts, respectfully submit the following report:

Your committee personally visited said Institution on January 13th, 1906, and inspected the departments and buildings thereof, in company with the President and members of the Faculty, and made some inquiry and investigation as to the present conditions and the future needs of the same. In the short time at our disposal, and the magnitude of the work to be done by us, we do not feel that we have mastered every detail, and considered all the elements of importance, and collected all the information possible concerning this great place of education, the magnitude and scope of which our people are so rapidly learning to understand and enjoy. However, we present herein such general information as will in some degree enable the members of the Senate and House, to perform their duties in regard thereto justly and to the best interests of all concerned.

BUILDING OPERATIONS.

The Thirtieth General Assembly made the following appropriation:

For the Central Building	$95,000.00
For Central Heating Plant, Equipments, etc	54,500.00
For Dairy Building	45,000.00

THE CENTRAL BUILDING.

The Central Building is practically completed and will be paid for as follows:

The Twenty-ninth General Assembly appropriated for commencing Central Building	$ 35,000.00
The Thirtieth General Assembly appropriated for building and furnishing	95,000.00

Expended on Central Building proceeds of Millage tax..... 276,934.00

Making total cost of Central Building.....$406,934.00

Your committee found a magnificent building, imposing in appearance, elaborate in detail and apparently well calculated to furnish suitable quarters for administration and recitations. Your committee had neither time, opportunity nor facilities to form any adequate idea as to whether the State has received value received for the expenditure of over $400,000.00 on this building.

The expenditure of so large a sum of money for one building was made possible by the continuing millage tax which brings in approximately $125,000.00 annually.

ENGINEERING HALL.

In this connection it may be noticed that the 28th. General Assembly appropriated for a General Engineering Hall,....$ 85,000.00
And there was expended from the millage tax for Engineering Hall..... 133,647.00

Making cost of Engineering Hall.....$218,647.00

BARN.

The Twenty-ninth General Assembly appropriated for commencing barn,.....$ 5,000.00
And there was expended from the millage tax for barn 12,858.00
Making cost of barn 17,858.00

DAIRY BUILDING.

The Thirtieth General Assembly appropriated for a Dairy Building $45,000.00 and for its equipment, $10,000.00. There was also used thereon the sum of $16,152.00 derived from the millage tax heretofore levied, making a total invested in the plant of $71,152.00. We examined and observed it in operation, and so far as your committee is able to judge, it is a model of its kind, and of inestimable value to our people. It may be conceded that this has been a large investment, yet when we consider the great interest of which it is practically the head, and the material advantages to be derived from it and its operation, we believe it to be a good one, and the State has value received therein.

THE CENTRAL HEATING PLANT.

The Thirtieth General Assembly made the following appropriation:
For Central Heating plant and chimney.....$25,000.00
For equipment for central heating; tunnel to Central Building and wreckage of old building and transferring boilers..... 29,500.00
No central heating plant has been constructed but about $21,000.00 of this appropriation has been expended as follows:
For tunnel..... $ 6,000.00
For boilers..... 5,000.00
For sundry temporary construction..... 5,000.00
For pipes and fittings..... 5,000.00

$21,000.00

The Board reports that since the expenditure of these sums it has been determined to change the location for the central heating plant in order to be able to economize fuel by securing a gravity return of the condensed steam and that this change of location will result in an additional expense estimated at $10,000.00 when the Central heat plant is built.

The $5,000.00 expended in temporary construction will prove a loss and the pipes and fittings for which an expenditure of $5,000 was made, it is claimed may be taken out and saved. Unquestionably heating facilities had to be supplied and probably the appropriation for a Central heating plant was insufficient to build on the scale recommended by the architects and approved by the Board, but it seems to be unfortunate that the expenditure of the $250,000.00 from the millage tax for the biennial period met with such urgent demands from other sources as to have nothing available to supplement the $54,500.00 extraordinary appropriation for a central heating plant.

EDUCATIONAL SUPPORT FUND.

Section 2674 provides Agl. Endowment and Current expense...	$ 18,500.00
The Twenty-eighth General Assembly provided for annual additional support	25,000.00
The Twenty-ninth General Assembly provided for annual additional support	35,000.00
The Thirtieth General Assembly provided for annual additional support	50,000.00
The Twenty-ninth General Assembly provided support of Experiment Station	10,000.00
The Thirieth General Assembly provided additional support of Experimeut Station	15,000.00
The National Government support, (Morrell Fund)	25,000.00
National Government support, Experiment Station	15,000.00
Annual interest from endowment fund	35.000.00
Total permanent annual support fund	$228,500.00

It will be observed that the last General Assembly appropriated $65,000.00 annually to the support fund of the Institution. The full effect of the above increase of support funds has not yet appeared in the reports but it has resulted in an increase of 25 per cent in the salary list for the year 1904-05 over that of 1903-04, for the Professors, Assissant Professors and Administrative officers in the college proper and an increase of 60 per cent in the salary list of the Experiment Station.

Your committee is not disposed to criticise these expenditures, but feel that the General Assembly are entitled at this time to the figures in view of the askings for additional annual support.

APPROPRIATIONS ASKED OF THIS GENERAL ASSEMBLY.

Extension of 1-5 mill millage tax for five years, (est.)	$ 625,000.00
Agricultural bullding	130,000.00
Power plant, (In addition to $54,500 of Thirtieth General Assembly)	85,000.00
Equipment of Dairy Farm	10,000.00
Additional land	11,000.00
	$861,000.00

CONTINUING ANNUAL APPROPRIATIONS ASKED.

Additional General Support fund	$ 50,000.00
Additional General Support Experiment Station	20,000.00
Engineering Experiment Station	10,000.00
General equipment	20,000.00
Library	5,000.00
Equipment and apparatus for divisions	$ 106,000.00

Making a total of askings for additional buildings, support and equipment of $1,072,000.00

THE MILLAGE TAX.

The millage tax for buildings, has netted approximately	$475,000.00
Estimated proceeds from millage tax in 1906	125,000.00
Estimated proceeds from millage tax in 1907	125,000.00
	$725,000.00
The Board has appropriated for various building operations from this	$540,000.00
Leaving for new building operation, from millage tax, not yet determined upon	$185,000.00

If the Appropriation Committee shall determine that in addition to the building appropriation that may be expected, there should an annual building fund of $125,000 available for the years 1908-1909-1910-1911 and 1912, your committee would recommend that the same be provided by a direct appropriation of $625,000 rather than by millage tax.

AGRICULTURAL BUILDING.

Your committee is advised that it is the purpose of the Board to use the unappropriated balance of the millage tax available in 1906-1907, amounting approximately to $180,000, for Agricultural Hall. We think the Appropriation Committee should take this sum into consideration in passing upon the application for $130,000, extraordinary appropriation for an Agricultural building. The committee are not advised as to the immediate necessity for such a building.

CENTRAL HEATING PLANT.

We recommend that such a sum as may be necessary, be appropriated which, together with the unexpended balance on hand, will be sufficient to build and equip a Central Heating Plant of capacity for years to come and believe this to be the most pressing need of the Institution.

EQUIPMENT OF DAIRY FARM.

We recommend that a moderate sum be appropriated for equipment of the Dairy Farm not to exceed $10,000.00,

ADDITIONAL LAND.

We recommend the appropriation of $11,000.00 to purchase land for grazing and horticultural purposes as asked.

ADDITIONAL SUPPORT.

Inasmuch as the legislature will be in session one year from now, and the full effect of the $65,000.00 additional annual report fund granted by the last General Assembly is not yet apparent by the reports at hand, your committee would recommend that the matter of additional annual support funds be postponed.

We recommend $10,000.00 additional support for one year.

EQUIPMENT AND APPARATUS.

We recommend liberal appropriation for equipment and apparatus for the New Engineering Hall.

We recommend $5,000.00 for purchase of books for library.

A visit to this Institution, even while the school is not in session, impresses your committee with its greatness and almost infinite amount of labor and detail required to keep every department in the highest degree of efficiency. It is the one Institution of the State dedicated to the material welfare of our greatest industry, that of agriculture.

Your committee does not endorse any niggardly policy toward this Institution on the part of the State's representatives. On the other hand we should carefully guard against extravagance in buildings, salaries and equipment. Excessive salaries and supernumeraries should be discouraged.

There seems to be harmonious co-operation between the President and administrative officers and heads of departments, which is a hopeful sign of the future.

ENROLLMENT.

The total enrollment for year 1903-4 was .....1412.
The total enrollment for year 1904-5 was 1363

SHORT COURSE.

Enrollment January, 1904.....531.
Enrollment January, 1905.....617.

We believe the short courses to be eminently successful as well as very helpful to the agricultural interests of the State.

L. W. LEWIS,
JOHN L. BLEAKLY,
E. J. SANKEY,
E. W. WEEKS,
GEO. W. HANNA.

Ordered passed on file.

By unanimous consent on motion of Senator Garst, Senate file No. 99, a bill for an act making an appropriation to defray the expenses of the reception tendered ex-Governor Wm. Larrabee by the Thirty-first General Assembly, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Harper, Hartshorn Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winnie, Young of Lee, Young of Calhoun, Young of Washington—49.

The nays were:

None.

Absent or not voting:

Gillilland—1.

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

By unanimous consent on motion of Senator Garst, Senate file No. 104, a bill for an act to make an appropriation to defray the mileage and expenses of the members of the two joint committees appointed by the Thirtieth General Assembly under joint resolutions originating in the Senate, numbered six and seven, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Wilson of Fayettee, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—43.

The nays were:

None.

Absent or not voting:

Gillilland, Hogue, Lambert, Saunders, Turner, Whipple, Winne—7.

So the bill having received a constutional majority was declared to have passed the Senate and its title agreed to.

By unanimous consent, on motion of Senator Garst, Senate file No. 102, a bill for an act making an appropriation to cover deficiency on account of additional employes of the Thirtieth General Assembly, and to pay additional employes of the Thirty-first General Assembly with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lewis, Lyon, Maytag, Molsberry, Newberry, Saunders, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—45.

The nays were:

None.

Absent or not voting:

Gillilland, Hogue, Lambert, Smith of Des Moines, Turner. —5.

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

Senator Dowell moved that the time of adjournment be extended fifteen minutes.

Carried.

Senator Courtright asked unanimous consent to call up the concurrent resolution introduced by him yesterday relative to the joint convention of the Senate and House to be held February 9th.

Senator Courtright moved the adoption of the concurrent resolution.

Adopted.

The Journal of yesterday was taken up, corrected and approved.

Senator Warren moved that 300 extra copies of Senate file No. 13 be ordered printed.

Carried.

J. Fred Thomas appeared before the bar of the Senate and was duly sworn as clerk of the committee on Elections.

Senator Young of Lee moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, February 2, 1906.

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. E. E. Flink, of Creston, Iowa.

PETITIONS AND MEMORIALS.

Senator Hughes presented petition of twenty-seven policy holders and persons interested in life insurance of North English, Iowa, in favor of the "Molsberry Resolution".

Referred to committee on Insurance.

INTRODUCTION OF BILLS.

By the Committee on Highways, Senate file No. 137, a bill for an act to provide for improving public highways by the use of the road drag.

Read first and second time and placed on the calendar.

By the Committee on Highways, Senate file No. 138, a bill for an act to amend the law as it appears in section fifteen hundred thirty-three (1533) of the supplement to the code.

Read first and second time and placed on the calendar.

By Senator Gillilland, Senate file No. 139, a bill for an act to appropriate the sum of twenty five hundred ($2500) dollars to pay M. C. Byers for his services in prosecuting and collecting the claim of the State of Iowa, against the United States Government for money expended by the State in aiding the government to equip and place in the field its soldiers for the Spanish War.

Read first and second time and referred to the committee on Claims.

By Senator Dowell, Senate file No. 140, a bill for an act relating to gifts, devises or bequests to state institutions.

Read first and second time and referred to committee on Judiciary.

By Senator Harper, Senate file No. 141, a bill for an act to regulate the sale of gasoline and providing penalty for the violation thereof.

Read first and second time and referred to committee on Public Health.

By Senator Hughes, Senate file No. 142, a bill for an act to amend the law as it appears in section twenty-seven hundred twenty-seven-c (2727-c) of the supplement to the code relating to salaries.

Read first and second time and referred to committee on Compensation of Public Officers.

By Senator Bleakly, Senate file 143, a bill for an act to repeal chapter one hundred eighty-five (185) of the acts of the Thirtieth General Assembly and to enact a substitute therefor, relating to the survey, appraisement and sale of abandoned channels of the navigable streams of the state and islands or bars, situated in said navigable streams, and authorizing the appointment of a commission to ascertain and establish the boundary lines between the State of Iowa and adjoining states.

Read first and second time and referred to committee on Public Lands.

By Senator Dowell, Senate file No. 144, a bill for an act to provide for the care and control of public cemeteries in certain cities, to create a Board of Cemetery Commissioners and to confer certain powers upon said commissioners.

Read first and second time and referred to committee on Cities and Towns.

By Senator Saunders, Senate file No. 145, a bill for an act to provide for the comfort of petit juries.

Read first and second time and referred to committee on Judiciary.

By Senator Lewis, Senate file No. 146, a bill for an act making appropriations for construction, improvement, repairs and contingent funds for the Clarinda State Hospital.

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

HOUSE MESSAGES CONSIDERED.

House file No. 117, a bill for an act to amend section thirty hundred sixty-a-one hundred thirty-two (3060-a-132) of the supplement to the code relating to negotiable instruments.

Read first and second time and referred to committee on Judiciary.

THIRD READING OF BILLS.

Senate file No. 16, a bill for an act to amend section four hundred forty-one (441) of the code in regard to official newspapers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Lambert moved to amend the bill by striking out therefrom section two.

Carried.

Senator Courtright moved that the bill be re-referred to the committee on Printing.

Carried.

So the bill was re-referred to the committee on Printing.

Senate file No. 76, a bill for an act to amend section two thousand five hundred seventy-six(2576) of the code so as to change the dates of the meetings of the State Board of Medical Examiners, with report of committee recommending a substitute was taken up, considered, and the report of the committee adopted.

The substitute as amendment for Senate file No. 76, was read for information.

Senator Young of Calhoun moved the adoption of the substitute.

SUBSTITUTE AS AN AMENDMENT FOR SENATE FILE NO. 76.

A BILL for an act to amend the law as it appears in section two thousand five hundred seventy-six (2576) of the supplement to the code so as to change the dates of the meetings of the State Board of Medical Examiners.

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

Section 1. The law as it appears in section two thousand five hundred seventy-six (2576) of the supplement of the code, is hereby amended by substituting the word "January" for the word "May" in the third line thereof, and by substituting the word "July" for the word "November" in the fourth line thereof.

Adopted.

Senator Young of Calhoun moved that the rule be suspended, and that the bill as amended be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—49.

The nays were:

None.

Absent or not voting:

Hogue—1.

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

Senate file No. 48, a bill for an act to legalize the acts of the board of directors and electors and authorize the issuing of forty thousand dollars ($40,000) in school bonds in the Independent School District of Lyons City, Clinton county, Iowa, and to validate said bonds, with report of committee recommending it be indefinitely postponed was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

By unanimous consent calendar No. 8, Senate file No. 53, was passed and its place retained on the calendar.

Senate file No. 70, a bill for an act to amend section four hundred twelve (412) of the code in relation to the times of the meetings of the Board of Supervisors, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee, adopted.

So the bill was indefinitely postponed.

House file No. 71, a bill for an act to amend section two hundred fifteen (215), of the code relative to the distribution of reports of the Supreme Court, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

House file No. 76, a bill for an act to amend section fifty-four hundred twenty-four (5424) of the code, with reference to granting new trials in Criminal cases on account of newly discovered evidence, with report of committee recommending amendments was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Dunham moved as a substitute for the motion made by Senator Dowell that the bill be re-referred to the Judiciary committee.

Carried.

So the bill was re-referred to the Judiciary Committee.

House file No. 102, a bill for an act legalizing the incorporation of the Postville Cemetery Association and the acts and proceedings thereof, particularly with reference to the title to real estate required by the said cemetery association in the transaction of its business, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Wilson of Fayette moved that the rule be suspended and that the bill be considered engrossed, and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley Dunham, Eckles, Elerick, Ericson, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Washington—46.

The nays were:

None.

Absent or not voting:

Dowell, Garst, Saunders, Young of Calhoun—4.

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

Senate file No. 106, a bill for an act to amend the law as it appears in section six hundred ninety-seven (697) of the code, relating to the powers of cities and towns with reference to their cemeteries, with the report of the committee recommending indefinite postponement was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

By unanimous consent calendar No. 14, Senate file No. 77, was passed and its place retained on the calendar.

Senate file No. 72, a bill for an act to amend section three thousand one hundred seventy-three (3173) of the code, relating to divorces, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked: House file No. 115, a bill for an act to amend section twenty-nine

hundred forty-one (2941) of the code relative to recording instruments affecting lots in cities and towns or villages, in separate books, by adding thereto as follows.

C. R. BENEDICT,
Chief Clerk.

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: House file No. 114, a bill for an act to amend chapter twelve (12), title eighteen (18) of the code, and to determine the priority of certain claims in the distribution of property in the hands of receivers.

C. R. BENEDICT,
Chief Clerk.

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: House file No. 112, a bill for an act to amend section ten hundred fifteen (1015) of the code relating to lien of taxes in cities under special charter.

C. R. BENEDICT,
Chief Clerk.

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: House file No. 51, a bill for an act to amend section eighteen hundred eighty-nine (1889) of the supplement to the code relative to loan and trust companies.

C. R. BENEDICT,
Chief Clerk.

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: House file No. 49, a bill for an act to amend section twenty-five hundred seventy-six (2576) of the code so as to change the dates of the meetings of the State Board of Medical Examiners.

C. R. BENEDICT,
Chief Clerk.

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: House file No. 27, a bill for an act to amend section one thousand eight hundred fifty (1850) of the code relating to investment of funds of savings banks.

C. R. BENEDICT,
Chief Clerk.

By unanimous consent on motion of Senator Courtright, Senate file No. 42, a bill for an act to amend the law as it appears in section 1709 of the supplement to the code, relating to insurance on live stock, with report of committee recommending a substitute, was taken up, considered and the report of the committee adopted.

Senator Courtright moved the adoption of the committee substitute.

Adopted.

Senator Turner offered the following amendment and moved its adoption:

Amend by inserting "or cattle" after word "horses" in section 1 of the bill.

President pro tem Smith was called to the chair at 11:40 A. M.

Senator Garst moved that the time of adjournment be extended until the bill under consideration be disposed of.

Carried.

On the question shall the amendment offered by Senator Turner prevail?

A roll call was demanded.

The yeas were:

Bleakly, Brooks, Bruce, Eckles, Elerick, Garst, Gillilland, Hartshorn, Hayward, Hopkins, Hughes, Jackson, Jones, Kimmel, Lyons, Stirton, Turner, Wade, Winne, Young of Lee, Young of Calhoun, Young of Washington—22.

The nays were:

Courtright, Crawford, Crossley, Dowell, Dunham, Ericson, Gale, Harper, Hasselquist, Jamison, Kinne, Lambert, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stookey, Stuckslager, Taylor, Warren, Whipple, Wilson of Fayette, Wilson of Clinton—27.

Absent or not voting:

Hogue—1.

So the amendment was lost.

Senator Lewis offered the following amendment and moved its adoption:

Strike out the word "horses" in section one and insert in lieu thereof the word "stallions."

Senator Lyons moved to amend the amendment by inserting before the word "stallions" the word "registered."

Senator Garst moved that the bill with amendment be re-referred to the committee on Insurance.

Carried.

The bill was re-referred to the committee on Insurance.

The Journal of yesterday was taken up, corrected and approved.

Effie Gamidge appeared before the bar of the Senate and was duly sworn as committee clerk for the committee on Manufactures in place of B. A. Gale, resigned.

Senator Young of Calhoun moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA Saturday, February 3, 1906.

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. H. J. Wilkins of Manson, Iowa.

PETITIONS AND MEMORIALS.

Senator Ericson presented petition of citizens of Nevada, Iowa, asking for woman suffrage.

Referred to committee on Constutional Amendments and Suffrage.

Senator Elrick presented petition of sixty citizens of Keosoqua, Iowa, in favor of woman suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Kinne presented petition of members of the Iowa National Guard, asking for the passage of the militia bill now pending in the legislature.

Referred to committee on Military.

Senator Crossley presented petition of seven physicians asking that Ostoepaths be not made a member of the State Board of Health.

Referred to committee on Public Health.

Senator Garst presented petition of 689 citizens of Jefferson, Iowa, in favor of woman suffrage.

Referred to the committee on Constitutional Amendments and Suffrage.

Senator Bleakly presented petition of 186 constituents asking that the Woman's Suffrage amendment be passed.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Harper presented a resolution from the Trades and Labor assembly of Ottumwa, Iowa, asking for legislation restricting the employment of children in factories and mines.

Referred to committee on Labor.

On request of Senator Wilson of Clinton leave of absence was granted Senator Lyons until Monday.

On request of Senator Wilson of Fayette leave of absence wa granted Senator Young of Washington until Monday.

On request of Senator Courtright leave of absence was granted Senator Molsberry until Monday.

On request of Senator Stookey leave of absence was granted Senator Smith of Mitchell until Monday.

On request of Senator Dunham leave of absence was granted Senator Hasselquist until Monday.

On request of Senator Wilson of Fayette leave of absence was granted Senator Newberry until Monday.

On request of Senator Bleakly leave of absence was granted Senator Jackson until Monday.

On request of Senator Hayward leave of absence was granted Senator Bruce until Monday.

On request of Senator Stirton leave of absence was granted Senator Stuckslager until Monday.

On request of Senator Gillilland, leave of absence was granted Senator Whipple until Tuesday.

On request of Senator Kimmel leave of absence was granted Senator Wade until Tuesday.

On request of Senator Winne leave of absence was granted Senator Turner until Monday.

On request of Senator Youug of Lee leave of absence was granted Senator Smith of Des Moines until Monday.

INTRODUCTION OF BILLS.

By Senator Gillilland, Senate file No. 147, a bill for an act to make appropriation for Institution for Feeble Minded Children.

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

By Senator Young of Calhoun, Senate file No. 148, a bill for an act to require manufacturers of proprietary, or patent drugs and medicines to properly label the same, and to regulate the sale of methal alcohol (wood spirits) and providing penalties for the violation thereof, additional to chapter eighteen (18) of title twelve (12) of the code relating to the practice of pharmacy.

Read first and second time and referred to committee on Public Health.

By Senator Dunham, Senate file No. 149, a bill for an act making appropriations for construction, improvement, repairs and contingent funds for the Independence State Hospital.

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

By Senator Crawford, Senate file No. 150, a bill for an act to amend sections nineteen hundred sixty-eight (1968), nineteen hundred sixty-nine (1969), nineteen hundred seventy (1970) and nineteen hundred seventy-two (1972) of the code relative to the drainage of lead and zinc mines.

Read first and second time and referred to committee on Mines and Mining.

HOUSE MESSAGES CONSIDERED.

House file No. 115, a bill for an act to amend section twenty-nine hundred forty-one (2941) of the code relative to recording instruments affecting lots in cities and towns or villages in separate books by adding thereto as follows:

Read first and second time and referred to committee on Judiciary.

House file No. 114, a bill for an act to amend chapter twelve (12), title eighteen (18) of the code and to determine the priority of certain claims in the distribution of property in the hands of receivers.

Read first and second time and referred to committee on Judiciary.

House file No 112, a bill for an act to amend section ten hundred fifteen (1015) of the code relating to lien of taxes in cities under special charter.

Read first and second time and referred to committee on Ways and Means.

House file No. 51, a bill for an act to amend section eighteen hundred eighty nine (1889) of the supplement to the code relative to loan and trust companies.

Read first and second time and referred to committee on Banks and Banking.

House file No. 49, a bill for an act to amend section two thousand five hundred seventy six (2576) of the code so as to change the dates of the meetings of the State Board of Medical Examiners.

Read first and second time and referred to commitee on Public Health.

House file No. 27, a bill for an act to amend section eighteen hundred fifty (1850) of the code relating to investments of funds of Savings Banks.

Read first and second time and referred to committee on Banks and Banking,

REPORT OF COMMITTEES.

MR. PRESIDENT—Your committee on Highways, to whom was referred Senate file No. 6, a bill for an act to encourage the use of wagons with wide tires on public highways and providing for a rebate of a portion of their road tax to persons using wagons with tires not less than three inches in width when hauling heavy loads on the public highways 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 do pass.

R. A. HASSELQUIST,
Chairman.

Ordered passed on file.

Senator Dowell, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 76, a bill for an act to amend section fifty-four hundred and twenty-four (5424) of the code with reference to granting new trials in criminal cases, on account of newly discovered evidence, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 21; a bill for an act to repeal section forty-nine hundred sixty-nine (4969) of the code and enact a substitute therefor, providing for the punishment of cruelty to animals, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Adopted.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 73, a bill for an act exempting cities and towns, including cities incorporated under special charters, from liability for injury or damage to person or property, received or suffered upon a public highway, by reason, or in consequence of snow or ice 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 same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 37, a bill for an act providing for the repair of ways and walks in cities and incorporated towns and imposing punishment on city and town officials for failure to make 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 same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Adopted.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file. No. 87, a bill for an act to amend section four thousand nine hundred thirty eight (4938) of the code and to make provision for the penalty for a second offense, beg leave to report that 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.

C. C. DOWELL,
Chairman.

Adopted.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 36, a bill for an act limiting the liabilities of cities and towns for injuries received on streets, alleys and walk, beg leave to report that 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,

C. C. DOWELL,
Chairman.

Adopted.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 63, a bill for an act relative to injuries received on streets, alleys, sidewalks, crossings, causeways or bridges of cities or 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 the same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Adopted.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 119, a bill for an act limiting the liability of cities and towns for injuries received on streets, alleys, sidewalks, crosswalks, bridges and culverts, beg leave to report that 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.

C. C. DOWELL,
Chairman.

Adopted.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 105, a bill for an act to amend section forty-nine hundred thirty eight (4938) of the code and to make provision for the penalty for a second offense, beg leave to report that 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.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. SPEAKER—Yonr committee on Judiciary to whom was referred House file No. 117, a bill for an act to amend section thirty hundred and sixty-a-one hundred thirty-two (3060-a-132) of the supplement to the code, relating to negotiable instruments, beg leave to report that they have had the same under consideration and have instrncted me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend the title by inserting after the word "Amend" in the first line thereof, the words "the law as it appears in"

Amend section one (1) by adding after the word "That" in the first line, the words "the law as it appears in"

And when so amended the bill do pass.

C. C. DOWELL,
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 to provide for the comfort of petit juries, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend the title by striking out the word "Juries" and inserting in lieu thereof the word "Jurors."

Amend section one (1) by striking out of the second line thereof the words "in the several counties of the state" and inserting in lieu thereof the words "upon order of the District Court," and when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 140, a bill for an act relating to gifts, devises, or bequests to 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 same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred House file No. 96 a bill for an act making an appropriation to defray the expenses of the reception tendered the Governor by the Thirty-first General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

MR. PRESIDENT—Your committee on Pharmacy, to whom was referred Senate file No. 64, a bill for an act to repeal the law as it appears in section twenty-five hundred eighty-nine (2589) of the suplement to the code and section twenty-five hundred ninety (2590) of the code and to enact a substitute therefor, relative to the examination of Pharmacists and their assistants beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the attached bill be enacted and substituted therefor and that same do pass.

A. C. WILSON,
Chairman.

SUBSTITUTE FOR SENATE FILE NO. 64 —BY MOLSBERY.

A BILL for an act to repeal the law as it appears in section twenty-five hundred eighty-nine (2589) of the supplement to the code and section twenty-five hundred ninety (2590) of the code and to enact a substitute therefor relative to the examination of Pharmacists and their assistants.

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

Section 1. The law as it appears in section twenty-five hundred eighty eighty nine (2589) of the supplement to the code and section twenty-five hundred ninety (2590) of the code is hereby repealed and the following enacted in lieu thereof:

Sec. 2. The Commission, at such times and places as it may select, shall conduct an examination for all persons desiring to engage in and conduct business as registered pharmacists, subject to the conditions set forth in this Act, provided that no person shall be eligible to take this examination until he has passed his twenty-first birthday and has presented to the Commission his own affidavit and that of his employer or employers affirming under oath that he has had not less than four years' practical experience (including the actual number of weeks he has spent in a reputable college of pharmacy) as clerk in a drug store in which physicians' prescriptions are compounded under the direction of a registered pharmacist. If such applicant passes the required examination he shall be granted a certificate of registration. Pharmacists thus registered shall have sole right to keep and sell all medicines and poisons except intoxicating liquors.

Section 3. If the applicant has passed his eighteenth birthday and has had at least two years' practical experience (including actual number of weeks spent in a reputable college of pharmacy) in a drug store in which physicians' prescriptions are compounded under the direction of a registered pharmacist, and has presented to the Commission his own affidavit and

that of his employer or employers affirming under oath that he has had such experience, he shall, upon passing a satisfactory examination, be granted an assistant's certificate.

Sec. 4. Each person furnished a certificate under this act shall be charged a fee of $5.00 which shall be in full for all services, and in case the examination of said person shall prove defective or unsatisfactory, and his name not be registered, he shall be permitted to present himself for re-examination within any period not exceeding twelve months next thereafter and no charge shall be made for re-examination. The said Commissioners are authorized to administer oaths pertaining to their said office and take and certify the acknowledgment of instruments in writing. After registration an annual fee of $1.00 for renewal certificate shall be paid on or before the 22nd day of March by all pharmacists and assistants who continue in business, and the conduct of such business without such renewal shall be a misdemeanor.

Sec. 5. This Act being deemed of immediate importance, shall be in force from and after its publication in the Register and Leader and Des Moines Daily Capital, newspapers published at Des Moines, Iowa.

Read first and second time and placed on file.

Senator Jamison moved that when the Senate adjourn it be until 2 o'clock P. M. Monday.

Carried.

THIRD READING OF BILLS.

On motion of Senator Dowell, Senate file No. 140, a bill for an act relating to gifts, devises or bequest to state institutions with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Dowell moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hayward, Hughes, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Maytag, Saunders, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun—35.

The nays were:

None:

Absent or not voting:

Brooks, Bruce, Gale, Hasselquist, Hogue, Hopkins, Jackson, Lyons, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Turner, Wade, Young of Washington—15.

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

Senator Maytag from the joint committee appointed to visit the state penitentiary at Anamosa submitted the following report and asked that it be printed in the journal.

Granted.

To the President of the Senate:

Your committee appointed to visit the State Penitentiary at Anamosa, beg leave to submit the following report and recommendation:

Immediately upon our arrival at the Penitentiary, Warden Hunter took us in charge and we proceeded to look into the condition, management, and requirements of the institution, and we made as thorough an investigation and inspection of the management, grounds, buildings and quarries as our limited time would permit. We consider the management, system, and discipline to be of the very highest order. The grounds, buildings, and equipment are in most excellent condition, except as noted below.

The electric light plant is loaded to its full capacity. The new cell house will soon be completed and it will require several hundred lights to light it. Two of the dynamos in use are of very old pattern and style, for which repairs cannot be obtained. A new and larger equipment should be secured.

The boiler capacity is inadequate. In very cold weather every boiler must be fired, which is not as it should be. There should be, at least, one boiler not in use at any and all times, to permit of repairs and cleaning.

A new power house, extension to the boiler room, and additional coal storage room is needed and recommended.

The foundry and blacksmith shop are in dilapidated frame buildings, which should be replaced with substantial stone buildings.

The appropriations herein recommended are estimated to be needed to install the equipment and put up the additional buildings, above referred to.

We recommend that the following amounts be appropriated.

For a new electric light plant	$ 6,500.00
For completing cell floors and for steam connections and furnishing cells	6,000.00
For a new boiler and connections	1,000.00
For a new power house	1,500.00
For a boiler room, coal house, blacksmith shop and foundry	2,000.00
For lime and cement	1,000.00
For transportation of discharged convicts	750.00
For salaries of foremen	4,800 00
For contingent and repair fund	2,500.00
Total	$26,050.00

For report of the work done and moneys expended during the last biennial period, we would respectfully refer you to the report made by the Warden, a copy of which has been placed upon the desks of all the members.

F. L. MAYTAG,
JAS. A. SMITH,
MONTAGUE HAKES,
A. H. STOLTENBERG,
W. W. MCELRATH.

On motion of Senator Garst, House file No. 96, a bill for an act making an appropriation to defray the expenses of the reception tendered the Governor by the Thirty-first General Assembly, with report of committee recommending passage was taken up, considered, and the report of the committee adopted

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

Senator Dowell was called to the chair at 10:45 A. M.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale Garst, Gillilland, Harper, Hartshorn, Hayward, Hughes, Jones, Kimmel, Kinne, Lambert, Lewis, Maytag, Saunders, Spaulding, Stirton, Stookey, Taylor, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun—34.

The nays were:

None.

Absent or not voting:

Bruce, Hasselquist, Hogue, Hopkins, Jackson, Jamison, Lyons, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Stuckslager, Turner, Wade, Whipple, Young of Washington—16.

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

Senator Wilson of Fayette moved that 300 additional copies of Senate file No. 8 be ordered printed.

Carried.

The Journal of yesterday was then taken up and corrected.

Senator Hughes moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA. Monday, February 5th, 1906.

Senate met pursuant to adjournment at 2 o'clock P. M., President Herriott presiding.

Prayer was offered by the Rev. Emil Mueller of LeMars, Iowa.

On request of Senator Wilson of Clinton leave of absence was granted Senator Crossley until Thursday.

On request of Senator Stookey leave of absence was granted Senator Jamison for the day.

On request of Senator Stookey leave of absence was granted Senator Whipple for the day.

On request of Senator Wilson of Fayette leave of absence was granted Senator Hopkins for the day.

On request of the President leave of absence was granted Senator Saunders for the day.

On request of the President leave of absence was granted Senator Winne for the day.

PETITIONS AND MEMORIALS.

Senator Molsberry presented petition of members of National Guard and constituents in support of the Military bill now pending before the legislature.

Referred to committee on Military.

Senator Molsberry presented petition of citizens of Oakland township, Louisa county, in favor of the repeal of the present road laws and the enactment of the old law.

Referred to committee on Highways.

Senator Hasselquist presented petition of numerous constituents in support of woman suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Stuckslager presented petition of numerous citizens in support of submission of woman suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Bleakly presented petition of members of Iowa National Guard and citizens in support of the Military bill and in favor of the appropriation of one hundred thousand dollars ($100,000.00.)

Referred to committee on Military.

Senator Young of Washington presented petition of physicians of Washington County opposing the proposed law giving a member of State Board of Health to the Osteopath profession.

Referred to committee on Public Health.

Senator Smith of Mitchell presentcd petition physicians of Lake Mills in opposition to the proposed law granting member of State Board of Health to Osteopathy.

Referred to committee on Public Health.

Senator Harper presented petition of constituents in opposition to a primary law.

Referred to committee on Elections.

INTRODUCTION OF BILLS.

By Senator Gale Senate file No. 151, a bill for an act to provide for extension work by the Iowa State College of Agriculture and Mechanic Arts, and for investigation and experimental work by the Agricultural Experimental Station and to make appropriations therefor.

Read first and second time and referred to committee on Agriculture.

By Senator Dunham Senate file No. 152, a bill for an act to provide for the publication of municipal accounts and to establish a uniform system of accounts, reports and audit in cities and towns, amending the law as it appears in sections seven

hundred forty-one-a(741-a) seven hundred forty-one-b(741-b) and seven hundred forty-one-c(741-c) of the supplement to the code.

Read first and second time and referred to committee on Cities and Towns.

By Senator Stookey Senate file No. 153, a bill for an act to amend section thirteen hundred seventy-three (1373), of the code in relation to appeals from the Board of Review to the district court.

Read first and second time and referred to committee no Judiciary.

By Senator Bruce Senate file No. 154, a bill for an act to amend section four thousand twenty-five (4025) of the code in relation to notice to defendant in sales under execution.

Read first and second time and referred to committee on Judiciary.

By Senator Gale Senate file No. 155, a bill for an act to legalize the incorporation of the town of Meservey, Cerro Gordo county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town.

Read first and second time and referred to committee on Judiciary.

By Senator Dunham Senate file No. 156, a bill for an act to amend section forty-nine hundred eighty-nine (4989) and forty-nine hundred ninety (4990) of the code, relating to the sale of adulterated milk and cream.

Read first and second time and referred to committee on Agriculture.

By Senator Dunham Senate file No. 157, a bill for an act defining the powers of the state dairy commissioner, his deputy and assistants.

Read first and second time and referred to committee on Agriculture.

By Senator Stirton Senate file No. 158, a bill for an act to amend section eighteen hundred eighty-five (1885) of the code relating to fraudulent banking.

Read first and second time and referred to committee on Judiciary.

By Senator Ericson Senate file No. 159, a bill for an act to amend section seven hundred twenty-nine (729) of the supplement of the code, and four hundred twenty-two (422) of the code relating to powers of trustees of public libraries and to provide for use of same by residents outside of corporate limits of town or city in which the library is located.

Read first and second time and referred to committee on Libraries.

By Senator Ericson Senate file No. 160, a bill for an act to provide for the erection, repair and equipment of buildings for the Iowa State College of Agriculture and Mechanic Arts.

Read first and second time and referred to committee on Agriculture.

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 bill in which the concurrence of the House was asked:

House file No. 59, a bill for an act to amend section twenty-five hundred sixty-seven (2567) of the code so as to include the reporting of divorces and to change the time of reporting marriages and divorces to the State Board of Health.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 15, a bill for an act to provide for working or smoothing public highways by the use of the split-log or road drag and for compensation therefor.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 99, a bill for an act making an appropriation to defray the expenses of the reception tendered ex-Governor Larrabee by the Thirty-first General Assembly.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 82, a bill for an act to legalize the action of the Board of Supervisors of Des Moines County, Iowa, relating to sale of school land in section (16), township (71), north of range (1) west of 5th principal meridian and to authorize the Governor to issue a patent therefor to the heirs of John Olson.

C. R. BENEDICT,
Chief Clerk.

Also:

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:

Joint resolution No. 1, a joint resolution proposing an amendment to the Constitution of the State of Iowa, additional to section eighteen (18) of article one (1) of said constitution.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 52, a bill for an act to repeal section one hundred thirty-seven (137) of the code, relative to the publication and distribution of the proceedings of the Iowa State Teachers' Association and to enact a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 100, a bill for an act punishing any person who shall ask, request, or solicit another to have carnal knowledge with any female, for a consideration or otherwise.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 97, a bill for an act appropriating one hundred fifty dollars ($150.00) for the purpose of repairing the Soldiers' Orphans' Monument at Cedar Falls, and inscribing the names of deceased Soldiers' Orphans thereon.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 69, a bill for an act making appropriations for the benefit of the Industrial School for Boys at Eldora.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Concurrent resolution relative to a joint convention of the Senate and House of Representatives for the purpose of electing a State Printer and State Binder.

C. R. BENEDICT,
Chief Clerk.

Also:

MR—PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 83, in which the concurrence of the House was asked:

A bill for an act to repeal sections four thousand six hundred thirty-three (4633) of the code and to enact a substitute therefor providing for recording in the County Recorders' offices, United States and state patents and certified copies of such patents and making such reports and certified copies thereof competent evidence.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 72, in which the concurrence of the House was asked:

A bill for an act to legalize the incorporation of the town of Dow City, Crawford County, Iowa, the election of its officers, the acts done and ordinances and resolutions passed by the council of said town and to define the limits thereof.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendment to House file No. 47, in which the concurrence of the House was asked:

A bill for an act to amend section one thousand seventy-sixth (1076) in chapter two (2) title six (6) of the code relating to the registration of votes.

C. R. BENEDICT,
Chief Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Turner from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 15, a bill for an act to amend section forty-nine hundred thirty-six (4936) of the code relating to incest.

Also:

Senate file No. 29, a bill for an act to empower the Governor and Secretary of State to execute quit-claim deeds conveying to the grantees of S. Dunham all right, title and interest of the State of Iowa in the southwest ¼, the west ½ of southeast ¼, the south ½ of northwest ¼, and northwest ¼ of northwest ¼ of section 28, and east ½ and northwest ¼ of section 29; all in towhship 73 north of range 1 west 5th principal meridian.

D. W. TURNER,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turner from the joint committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your joint committee on enrolled bills respectfully report that they have examined, and find correctly enrolled, house file No. 2, a bill for an act legalizing the special election of the city of Clinton, Iowa, held March 28th, 1901, whereby certain rights were granted to the Clinton Gas Light and Coke Company.

Also:

House file No. 28, a bill for an act to legalize the incorporation of the town of Elkhart, Polk County, Iowa, the election of its officers, the passage and record of its ordinances and resolutions, and all acts done by the council of said town.

Also:

House file No. 37, a bill for an act to legalize the incorporation of the town of Lidderdale, Carroll County, Iowa, the election of its officers, the passage of its ordinances and resolutions, and all acts done by the council of said town.

Also:

House file No. 89, a bill for an act to legalize the organization of the Independent School District of Whiting, Monona County, Iowa, and the acts of its Boards of Directors.

D. W. TURNER,
Chairman Senate Committee.
H. L. SPAULDING,
Chairman House Committee.

Ordered passed on file.

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled Senate file No. 15, a bill for an act to amend section forty-nine hundred thirty-six (4936), of the code relating to incest.

Also:

Senate file No. 29, a bill for an act to empower the Governor and Secretary of State to execute quit-claim deeds conveying to the grantees of S. Dunham all right, title and interest of the State of Iowa in the southwest ¼, the west ½ of southeast ¼, the south ½ of the northwest ¼, and northwest ¼ of northwest ¼ of Sec. 28, and east ½ and northwest ¼ of Sec. 29; all in township 73 north, range 1 west of the 5th principal meridian.

D. W. TURNER,
Chairman Senate Committee.
H. L. SPAULDING,
Chairman House Committee.

Ordered passed on file.

HOUSE MESSAGES CONSIDERED.

House file No. 59, a bill for an act to amend section twenty-five hundred sixty-seven (2567) of the code so as to include the reporting of divorces and to change the time of reporting marriages and divorces to the State Board of Health.

Read first and second time and referred to committee on Public Health.

House file No. 15, a bill for an act to provide for working or smoothing public highways by the use of the split-log or roaddrag and for compensation therefor.

Read first and second time and referred to committee on Highways.

Senate file No. 99, a bill for an act making an appropriation to defray the expenses of the reception tendered ex-Governor Larrabee by the Thirty-first General Assembly.

Ordered passed on file.

Senate file No. 82, a bill for an act to legalize the action of the board of supervisors of Des Moines county, Iowa, relating to sale of school lands in section (16) township (71) north of range (1) west of fifth principal meridian and to authorize the Governor to issue a patent therefor to the heirs of John Olson.

Ordered passed on file.

House joint resolution No. 1, a joint resolution proposing an amendment to the constitution of the State of Iowa additional to section eighteen (18) of article one (1) of said constitution.

Read first and second time and referred to committee on Constitutional Amendment and Suffrage.

House file No. 52, a bill for an act to repeal section one hundred thirty-seven (137) of the code, relative to the publication and distribution of the proceedings of the Iowa State Teachers' Association and to enact a substitute therefor.

Read first and second time and referred to committee on Schools.

House file No. 100, a bill for an act punishing any person who shall ask, request or solicit another to have carnal knowledge with any female, for consideration or otherwise.

Read first and second time and referred to committee on Judiciary.

House file No. 97, a bill for an act appropriating fifty dollars ($50.00) for the purpose of repairing the Soldiers'Orphans' monument at Cedar Falls and inscribing the names of deceased Soldiers' Orphans thereon.

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

House file No. 69, a bill for an act making appropriation for the benefit of the Industrial School for Boys at Eldora.

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

Senate concurrent resolution, a concurrent resolution relative to a joint convention of the Senate and House of Representatives for the purpose of electing a State Printer and a State Binder.

Ordered passed on file.

House concurred in Senate amendments to House file No. 83 a bill for an act to repeal section forty six hundred thirty-three (4633) of the code and to enact a substitute therefor providing for recording in the County Recorders' offices, United States and State patents and certified copies of such patents and making such reports and certified copies thereof competent evidence.

Ordered passed on file.

House concurred in Senate amendments to House file No. 72, a bill for an act to legalize the incorporation of the town of Dow City, Crawford county, Iowa, the election of its officers, the acts done and ordinances and resolutions passed by the council of said town and to define the limits thereof.

Ordered passed on file.

House concurred in Senate amendments to House file No. 47, a bill for an act to amend section one thousand seventy-six (1076) in chapter two (2) title six (6) of the code relating to the registration of votes.

Ordered passed on file.

REPORT OF COMMITTEE.

Senator Hartshorn, from the committee on Printing, submitted the following report:

MR. PRESIDENT—Your committee on Printing to whom was referred concurrent resolution relative to publishing the report of the Board of Control on the subject of tuberculosis, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows: By striking out the figures (10,000) when the same appear in said resolution and inserting in lieu thereof the figures (5,000) and when so amended the same do pass.

F. C. HARTSHORN,
Chairman.

Senator Hartshorn moved the adoption of the committee amendment.

Adopted.

Senator Hartshorn moved that the Senate concur in the concurrent resolution as amended.

Carried.

So the concurrent resolution as amended was concurred in.

THIRD READING OF BILLS.

On motion of Senator Smith of Des Moines Senate file No. 53, a bill to amend the law as it appears in section eight hundred, fifty (850) of the supplement to the code, relating to park commissioners, with report of committee recommending substitute and passage was taken up, considered, and the report of the committee adopted.

The substitute was read for information.

Senator Smith of Des Moines moved the adoption of the substitute.

Adopted.

Senator Smith of Des Moines moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Dunham, Eckles, Elrick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, Lewis, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington —39.

The nays were:

Dowell—1.

Absent or not voting:

Crossley, Hogue, Hopkins, Jamison, Lyons, Maytag, Saunders, Turner, Whipple, Winne—10.

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

On motion of Senator Gillilland Senate file No. 77, by Gillilland, a bill for an act amending section three thousand one hundred eighty-one (3181) of the code relating to divorce, with report of committee recommending passage was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Gillilland offered the following amendment:

I move to amend the bill by striking out the word "and" after the word "following" in the second line. I further move to amend the bill by adding thereto the following: "This inhibition shall be entered in the decree and a violation thereof shall constitute a contempt of court and be punished accordingly."

Senator Courtright moved that the bill and amendment be re-referred to the committee on Judiciary.

Carried.

So the bill was re-referred to the committee on Judiciary.

On motion of Senator Smith of Mitchell Senate file No. 71, a bill for an act to amend section thirty-five hundred forty (3540) of the code, in relation to the publication of original notices in commencement of actions etc., with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Smith of Mitchell moved that the rule be suspended, and that the bill be considered engrossed, and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, Lewis, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Wade, Wilson of Fayettee, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Crossley, Gale, Hopkins, Jamison, Lyons, Maytag, Saunders, Turner, Warren, Whipple, Winne,—11.

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

On motion of Senator Courtright Senate file No. 125, a bill for an act to amend section fourteen hundred sixty-seven (1467) of the code relative to assesment and collection of collateral inheritance tax with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed, and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Dowell, Dunham, Eckles, Elrick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, Lewis, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—42.

The nays were:

None.

Absent or not voting:

Crossley, Hopkins, Jamison, Lyons, Maytag, Saunders, Whipple, Winne—8.

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

The President announced that he had signed in the presence of the Senate, Senate files No. 10 and 29 and House files No 37, 28, 2 and 89.

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 herewith asks to recall House file No. 69, a bill for an act making appropriation for the benefit of the Industrial School for Boys at Eldora.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

House file No. 87, a bill for an act authorizing and empowering the Governor and his successors in office, to execute, acknowledge and deliver instruments of conveyance to the present owners, or their grantees, of the north-east quarter (¼) of section seventeen (17) township ninety-two (92) north range forty-five (45) west of the 5th principal meridian, Plymouth county, Iowa, for the purpose of correcting the titles thereof with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Bleakly moved that the rule be suspended, and the reading just had be considered its third reading, which motion prevailed.

On the question, "Shall the bill pass?"

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gilliland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, Lewis, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—42.

The nays were:

None.

Absent or not voting:

Crossley, Hopkins, Jamison, Lyons, Maytag, Saunders, Whipple, Winne—8.

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

Senator Young of Calhoun moved that all bills on the Calendar be passed, if there be objection to their consideration except those that are printed and in the Senate files.

Carried.

Senator Courtright filed the following motion:

I hereby move to reconsider the vote whereby substitute for Senate file No. 53 by Smith of Des Moines was passed.

A. B. COURTRIGHT.

Senator Courtright called up his motion to reconsider the vote whereby substitute for Senate No. 53, by Smith of Des Moines, was passed and moved its adoption.

Adopted.

Senator Courtright moved to reconsider the vote whereby the bill passed to its third reading.

Carried.

Senator Courtright moved to amend the substitute by adding after the word, "over" in the second line the words "three park commissioners" and

Senator Jackson moved that the bill be re-referred to the committee on Cities and Towns.

Carried.

Senate file No. 75, a bill for an act exempting cities towns and including cities incorporated under special charters, from lia bility for injury recieved upon public highways by reason of ice thereon, with report of committee recommending indefinite postponment, was taken up, considered.

Senator Dunham moved that the bill be referred to the committee on Cities and Towns.

Carried.

So the bill was referred to the committee on Cities and Towns.

House file No. 76, a bill for an act to amend section five thousand four hundred twenty-four (5424) of the code with reference to granting new trials in criminal cases on account of newly discovered evidence with report of committee recommending indefinite postponement was taken up and considered.

Senator Lewis raised the point of order that there should be no reference during debate to the other house.

Sustained.

He also raised the question that where a bill is reported from a committee for indefinite postponement and the report is contested, the whole merits of the bill cannot be debated.

Overruled.

On the question shall the committee report be adopted a roll call was demanded.

The yeas were:

Brooks, Courtright, Crawford, Dowell, Eckles, Elerick, Ericson, Jackson, Kinne, Lewis, Molsberry, Newberry, Smith of Mitchell, Stookey, Turner, Wade, Warren, Wilson of Fayette, Young of Calhoun, Young of Washington—20.

The nays were:

Bleakly, Bruce, Dunham, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hughes, Jones, Kimmel, Lambert, Smith of Des Moines, Stirton, Stuckslager, Taylor, Wilson of Clinton, Young of Lee—20.

Absent or not voting:

Crossley, Gale, Hopkins, Jamison, Lyons, Maytag, Saunders, Spaulding, Whipple, Winne—10.

So the report of the committee for indefinite postponement was not adopted.

On request of Senator Molsberry leave of absence was granted Senator Courtright indefinitely.

Senator Gillilland moved that the bill be re-referred to the Judiciary committee.

Senator Smith of Mitchell moved as an amendment that the enacting clause of House file No. 76 be stricken out.

Senator Gillilland raised the point of order that the amendment was not germain to the original motion. The point of order was overruled.

On the question shall the amendment of Senator Smith of Mitchell be adopted, a roll call was demanded.

The yeas were:

Brooks, Crawford, Dowell, Eckles, Elrick, Erickson, Hasselquist, Jackson, Kinne, Lewis, Molsberry, Newberry, Smith of Mitchell, Stookey, Turner, Wade, Warren, Wilson of Fayette, Young of Calhoun, Young of Washington—20.

The nays were:

Bleakly, Bruce, Dunham, Garst, Gillilland, Harper, Hartshorn, Hayward, Hogue, Hughes, Jones, Kimmel, Lambert, Smith of Des Moines, Stirton, Stuckslager, Taylor, Wilson of Clinton, Young of Lee—19.

Absent or not voting:

Courtright, Crossley, Gale, Hopkins, Jamison, Lyons, Maytag, Saunders, Spaulding, Whipple, Winne—11.

So the amendment to strike out the enacting clause was adopted.

The motion of Senator Gillilland as amended was adopted.

House file No. 105, a bill for an act to amend section forty nine hundred thirty eight (4938) of the code and to make provision for the penalty for the second offense, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

House file No. 117, a bill for an act to amend section thirty hundred sixty-a-one hundred thirty-two (3060-a-132) of the supplement to the code relating to negotiable instruments with

report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

Senator Dowell moved the adoption of the following committee amendments:

Amend the title by inserting after the word "amend" in the first line thereof the words "The law as it appears in."

Amend section one (1) by adding after the word "That" in the first line the words "The law as it appears in."

Adopted.

Senator Dowell moved that the rule be suspended, and that the bill be considered engrossed, and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Crawford, Dowell, Dnnham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hughes, Jackson, Jones, Kimmel Kinne,, Lambert, Lewis, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Courtright, Crossley, Gale, Hopkins, Jamison, Lyons, Maytag Saunders, Spauling, Whipple, Winne—11.

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

The Journal of Saturday was taken up, corrected and approved,

Senator Elerick moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, February 6, 1906.

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. Frederick G. Davies of Ottumwa, Iowa.

On request of Senator Brooks leave of absence was granted Senator Hartshorn until Thursday.

On request of Senator Stookey leave of absence was granted Senator Jamison for the day.

PETITIONS AND MEMORIALS.

Senator Molsberry presented petition of 339 citizens of Muscatine in support of State Marshal law.

Referred to committee on Suppression of Intemperance.

Senator Jackson presented petition in support of woman suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Ericson presented petition of 154 constituents in support of woman suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Kimmel presented petition from Orange City in support of State Marshal bill.

Referred to committee on Suppression of Intemperance.

Senator Molsberry presented petition of the members of the Board of Supervisors of Decatur county favoring extension of the terms of county officers.

Referred to special committee Tenure of Office.

Senator Whipple presented petitions in support of State Marshal law.

Referred to committee on Suppression of Intemperance.

Senator Stirton presented petition of members of Jones County Medical Society in opposition to granting the Osteopaths a member of the State Board of Health.

Referred to committee on Public Health.

Senator Harper presented petition of physicians of Wapello County, Iowa, in opposition to granting the Osteopaths a member of the State Board of Health.

Referred to committee on Public Health.

Senator Wilson of Fayette presented petition of residents of Fayette County, in opposition to Sunday base ball.

Referred to committee on Judiciary.

Senator Taylor presented petition of Board of Supervisors of Davis county favoring extension of the terms of office of county officials.

Referred to committee on special committee Tenure of Office.

Senator Lambert presented petition of seventeen physicians of Jackson County opposing placing an Osteopath on the State Board of Health.

Referred to committee on Public Health.

Senator Jones presented petition of physicians of Mahaska county, Iowa, in opposition to granting the Osteopaths a member of the State Board of Health.

Referred to committee on Public Health.

Senator Gale presented petition of citizens of Garner, Hancock County, Iowa, in favor of the State Marshal bill.

Referred to committee on Suppression of Intemperance.

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 amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 40, "a bill for an act to amend section eighteen hundred sixty-nine (1869) of the code, and providing a penalty for the crime of embezzlement stated therein."

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 52, a bill for an act making appropriations for the benefit of the Industrial School for Boys at Eldora.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 62, a bill for an act amending section six hundred twenty-two (622) of the code in relation to the severance of territory from towns and cities.

C. R. BENEDICT,
Chief Clerk,

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Mr. Spaulding, from the joint committee on Enrolled Bills, submitted the following report:

MR. SPEAKER—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 47, a bill for an act to amend section ten hundred seventy-six (1076) of the code relating to the registration of voters.

Also:

House file No. 83, a bill for an act to repeal section forty-six hundred thirty-three (4633) of the code and to enact a substitute therefor providing for recording in the county recorders' offices, United States and state patents, and certified copies of such patents, and making such reports and certified copies thereof competent evidence.

H. L. SPAULDING,
Chairman House Committee.
D. W. TURNER,
Chairman Senate Committee.

Ordered passed on file.

President announced that he had signed in the presence of the Senate House files No. 47 and 83.

HOUSE MESSAGES CONSIDERED.

House recalls House file No. 69, a bill for an act making appropriations for the benefit of the Industrial School for Boys at Eldora.

Senator Garst moved the request of House be granted.

Carried.

Senate file No. 40, a bill for an act to amend section eighteen hundred sixty-nine (1869) of the code, and providing a penalty for the crime of embezzlement stated therein.

Ordered passed on file.

Senate file No. 52, a bill for an act making appropriations for the benefit of the Industrial School for Boys at Eldora.

Ordered passed on file.

Senate file No. 62, a bill for an act amending section six hundred twenty-two (622) of the code in relation to the severance of territory from towns and cities.

Ordered passed on file.

INTRODUCTION OF BILLS.

By Senator Ericson Senate file No. 161, a bill for an act providing for the inside finishing and completion of the Historical, Memorial and Art building, also for the purchase of steel book stocks, and making an appropriation therefor.

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

By Senator Lewis Senate joint resolution No. 3, directing the Governor of the State of Iowa to invite the governors of the several states to name representatives to an interstate convention, to be held at Des Moines, Iowa, or elsewhere, for the purpose of securing such action on the part of the several states as will result in a constitutional convention for the proposal of an amendment to the constitution providing for the election of United States Senators by a direct vote, and making an appropriation for the expenses of calling the same.

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

Senator Crawford moves that joint resolution No. 3 be referred to committee on Federal Relations.

On the question shall the motion prevail, a roll call was demanded.

The yeas were:

Brooks, Crawford, Dunham, Elerick, Gale, Gillilland, Hasselquist, Hogue, Jackson, Jones, Kinne, Molsberry, Smith of Des Moines, Spaulding, Stookey, Wade, Whipple—17.

The nays were:

Bleakly, Bruce, Dowell, Eckles, Ericson, Garst, Harper, Hayward, Hopkins, Hughes, Kimmel, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Mitchell, Stirton, Taylor, Turner, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—28.

Absent or not voting:

Courtright, Crossley, Hartshorn, Jamison, Stuckslager—5.

So the motion to refer the joint resolution to committee on Federal Relation was lost.

Senator Lewis moved that joint resolution No. 3 be referred to the committee on Appropriations.

Carried.

Senator Harper offered the following concurrent resolution.

HOUSE CONCURRENT RESOLUTION.

WHEREAS, There is now pending in Congress a bill for an act to prevent adulteration, misbranding and imitation of foods, known as the Hepburn Pure Food Bill, and

WHEREAS, We deem the enactment of a Pure Food Law by Congress to be of great importance and of vital interest to the people of Iowa and to the interest of the honest wholesalers and retailers of this State, therefore

Be it Resolved, by the Senate of the Thirty-first General Assembly, the House concurring:

Section I. That our Senators and Representatives in Congress be requested to take early, earnest and persistent action and to use their efforts to further the enactment of such a law.

Section II. That copies of this resolution properly authenticated be sent by the Secretary of State to each of our Senators and Representatives now in Congress, and to the Senators and Representatives from the States of Missouri, Minnesota and Nebraska and to the Secretary of Agriculture at Washington, D. C.

Senator Harper asked unanimous consent for the consideration of the resolution at this time.

Granted.

Senator Saunders offered the following amendment to the concurrent resolution and moved its adoption:

I move to strike out the first paragraph of the said resolution.

Senator Gillilland asked that the resolution be laid over under the rule.

Senator Molsberry raised the point of order that the request of Senator Gillilland was out of order at this time.

Sustained.

Senator Molsberry offered the following amendment to the amendment offered by Senator Saunders:

I move to amend the amendment by striking out the word "first" and nserting in lieu thereof the word "five."

Senator Garst moved that the Senate take a recess of 30 minutes

Carried.

The Senate resumed session.

Senator Saunders raised the point of order that the amendment offered by Senator Molesberry is not germain to the original amendment offered by him.

Sustained.

On the question shall the amendment offered by Senator Saunders be adopted.

The amendment was adopted.

On the question shall the resolution as amended be adopted, a roll call was demanded.

The yeas were:

Bleakly, Brooks, Dowell, Eckles, Elerick, Ericson, Garst, Harper, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Monies, Smith of Mitchell, Stirton, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—36.

The nays were:

Bruce, Crawford, Dunham, Gale, Gillilland, Molsberry, Spaulding, Stookey, Stuckslager—9.

Absent or not voting:

Courtright, Crossley, Hartshorn, Hogue, Jamison—5.

So the concurrent resolution as amended was adopted.

Senator Bruce filed the following explanation of his vote.

MR. PRESIDENT—I am in favor of pure food legislation, but opposed to petitioning congress on the proposition.

JAMES E. BRUCE

Senator Molsbery filed the following explanation of his vote.

MR. PRESIDENT—I vote no on this proposition because

1st. We are not sent here to instruct Congress.

2nd. If we believe in pure food legislation we should first enact before telling Congress what to do.

3rd. I am in favor and shall vote for such legislation in this chamber.

4th. I know nothing about the pure food legislation now pending in Congress and am not qualified to vote on the same.

F. M. MOLSBERRY.

Senator Dunham filed the following explanation of his vote.

MR. PRESIDENT—While I favor pure food legislation, I am oppose to the general proposition of the legislature of this State spending its time in attempting to influence the action of Congress, and believe that the fact that an entire half day of this Senate's time has been occupied in this useless manner is a justification for me to vote no, although, personally desire an early action both in congress and this legislature along the line of pure food legislation.

GEO. W. DUNHAM,

Journal of yesterday was taken up, corrected and approved.

REPORTS OF COMMITTEES.

Senator Dunham, from the committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your committee on Suppression of Intemperance, to whom was referred Senate file No. 31, a bill for an act amending sub-section two (2) of section twenty-four hundred forty-eight (2448) as it appears in the code of (1897) beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

1st. That the word "sub-section" appearing in the first and third lines of section one (1) be changed to "sub-division."

2nd. That the third word in the fourth line of said bill be stricken out and the word "words" be substituted and when so amended the bill do pass.

GEO. W. DUNHAM,
Chairman.

Ordered passed on file.

Senator Hasselquist, from the committee on Highways submitted the following report:

MR. PRESIDENT:—Your committee on Highways to whom was referred substitute for House file No. 15, a bill for an act to provide for improving the public highways by the use of a road drag beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommandation that the same be amended by inserting after the word "given" in the fourth line of section two (2) the words "other things being equal" and when so amended the bill do pass.

R. A. HASSELQUIST,
Chairman.

Ordered passed on file.

Senator Ericson asked unanimous consent that Senate file No. 98, be withdrawn from the Library Committee and referred to the Committee on Appropriations.

Consent granted.

Senator Molsberry moved that the time of adjournment be extended 10 minutes.

Carried.

Senator Stookey asked unanimous consent that Senate file No. 31, be re-referred to the committee on Suppression of Intemperance.

Consent granted.

Senator Spaulding from the special committee appointed to visit the Industrial Schools for Girls at Mitchelville submitted the following report and asked to have it printed in the Journal.

Granted.

To the President of the Senate and Speaker of the House of Representatives of the Thirty-first General Assembly:

Your joint committee appointed to visit the Industrial School for Girls at Mitchellville begs leave to report as follows:

We visited the institution and carefully inspected the physical condition of its grounds and buildings, as well as carefully and critically examining into its management and the administration of the affairs of the institution.

We found the different families of girls under the charge of painstaking, devoted and competent instructors. The spirit manifested on the part of the girls, in harmony with the requirements of those in charge of them in performing the duties required, was worthy of the highest commendation. Their application to studies, their enjoyment of their ammusements, and their pride manifested in their manual accomplishments, were interesting in the extreme. We must make special mention and award unstinted praise to the girls we saw who were on duty during our visit, performing the ordinary duties of household work.

The laundry where the work, which is so necessary to cleanliness (which is next to Godliness) was under the management of a corps of very competent operators.

The kitchen was presided over by an expert in domestic economy, who teaches the girls the highest and latest in culinary art, to properly prepare the food so necessary for life, health and happiness. And the samples of cooking shown us by the girls would surely tickle the palate of an epicure.

The sewing department won the admiration of your committee. In there we found work in all stages, from cloth on the table to be cut into garments to the completed article. Under the proper instructions the girls were learning what so few in our day know, the art of making their own clothes. The measuring tape, the rule, the shears and sewing machine were easily handled, and all kinds of sewing were readily accomplished. Order, system and cleanliness were observed throughout the buildings.

The exercises in the chapel, their different songs by families, and the playing by the orchestra under the personal management of Superintendent Fitzgerald were all highly commendable.

Your committee further reports on the physical condition of the institution, that we found the administrative offices occupying a small corner in one of the large buildings. Books, stenographers and secretary in cramped quarters and the room they occupied much needed in connection with the building where the offices are located. Also the storage capacity for supplies occupying the space needed for other purposes. Therefore we endorse the recommendation of the Board of Control, for the Administrative building and its location on the present site of the superintendent's cottage.

We found the power plant too small, also the building for storing coal insufficient, as only large enough to hold two days' supply of coal at a time. We recommend that the amount asked for by the Board of Control, for enlarging the power plant and extending building be allowed.

We found the two boilers had been in use a great many years, with flues rusty and leaking besides being dangerous, and we recommend the appropriation for two new boilers and their setting.

The sidewalks old, rotten and broken, and we recommend the appropriation to replace those necessary to be rebuilt.

For contingent and repair fund, we found the outside woodwork, doors and frames, window sash and frames and cornice in great need of paint. We recommend the appropriation for the contingent and repair fund.

We recommend the amount asked for by the Board of Control for horses and cows, to do the work on the farm and furnish a supply of milk.

The stand pipes, connections, hose reels and hose for fire protection we endorse the recommendation of the Board of Control.

Your committee unanimously endorses the appropriation of the following items and amounts:

For an administration building	$10,000.00
For equipping and furnishing same	3,500.00
For removal of, putting basement under and repairing superintendent's cottage	1,500.00
For library and periodicals	500.00
For a chaplain's fund	300.00
For two new boilers and setting	3,200.00
For enlarging power plant and extending building	7,000.00
For additional for hose house	600.00

For permanent sidewalks	3,000.00
For stand pipes, connections, hose reels and hose	600.00
For horses and cows	$ 1,600.00
For contingent and repair fund	3,000.00
Total	$34,800.00

And we also further recommend an additional support fund per capita for the institution.

We cannot close this report without expressing in this public manner our high appreciation of the valuable service being rendered to the State in care of one of its institutions by the self-sacrificing, efficient and successful management of Supt. F. P. Fitzgerald.

E. C. SPAULDING,
W. C. HAYWARD,
For the Senate.
MAHLON HEAD,
J. D. SHAFFER,
A. E. MCDOLE,
For the House.

Senator Hasselquist moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, February 7, 1906.

Senate met in regular session at 10 o'clock A. M., President pro tem Smith presiding.

Prayer was offered by the Rev. L. F. Troutman of Marathon, Iowa.

On request of Senator Stookey leave of absense was granted Senator Gillilland for the day.

PETITIONS AND MEMORIALS.

Senator Eckles presented petition of residents of Marshall County, Iowa, to enact a law prohibiting the playing of base ball, and especially League Games, upon the Sabbath.

Referred to committee on Judiciary.

Senator Ericson presented petition of his constituents to give the voters of Iowa an opportunity to decide at the ballot box, the question of the enfranchisement of women.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Smith of Des Moines presented petition of physicians residing in Des Moines County asking that an Osteopathic member should not be added to the State Board of Health.

Referred to committee on Public Health.

Senator Turner presented petition of citizens of Taylor county, Iowa, asking for the adoption of the State Marshal bill.

Referred to committee on Suppression of Intemperance.

Senator Bleakly presented petition from residents of Le Mars, Akron and Ida Grove, Iowa, asking for a law prohibiting Sunday base ball and particularly League Games.

Referred to committee on Judiciary.

Senator Dowell presented petition of residents of Polk county, to enact a law prohibiting the playing of base ball upon the Sabbath.

Referred to committee on Judiciary.

Senator Harper presented petition of his constituents in favor of the Womans Suffrage amendment so far as to submit the question to the people.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Hayward presented petition of residents of Scott county, State of Iowa, to enact a law prohibiting the playing of base ball upon the Sabbath.

Referred to committee on Judiciary.

Senator Stookey presented petition of his constituents in favor of the Womans Suffrage bill.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Whipple presented petitions of citizens and petitioners of the State of Iowa in favor of the State Marshal bill.

Referred to committee on Suppression of Intemperance.

Senator Bleakly presented petition of Cherokee Lodge No. 387 of the Brotherhood of Railway Car-men of America in favor of the Child Labor bill.

Referred to committee on Labor.

Senator Taylor presented petition of The Iowa National Guard and citizens of Iowa, in favor of the Militia bill.

Referred to committee on Military.

Senator Hughes presented petition of W. B. Bricker Post 145, G. A. R. Iowa, requesting that the Legislature designate Hon. S. J. Kirkwood as one of the two citizens of Iowa whose statue shall be placed in the Hall of Statuary at Washington, D. C.

Referred to committee on Appropriations.

Senator Jackson presented petition of Sioux City Division No. 232, Order Railway conductors in favor of the Child Labor bill.

Referred to committee on Labor.

Senator Jackson presented petition of the Sioux City Homeopathic Medical Society in favor of the Anti-Tuberculosis bill.

Referred to committee on Public Health.

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. 109, a bill for an act to amend title seventeen (17) chapter four (4) of the code relative to the descent of real property, requiring certain things in final reports of administrators, executors, guardians and trustees, and in decrees approving same and providing for the recording of the decrees in any county wherein the realty is situated.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 128, a bill for an act providing for the payment of preliminary expenses in connection with drainage districts and making suitable provision for same.

C. R. BENEDICT,
Chief Clerk.

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:

House File No. 11, a bill for an act providing for placing a statute in bronze of Samuel J. Kirkwood, ex-Governor of Iowa, in the National Statuary Hall in the Capitol Bnilding at Washington, D. C., and appropriating money to pay therefor.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 178, a bill for an act making an appropriation to defray the mileage and expenses of the members of the various committees sent by the Thirty-first General Assembly, to visit the several State institutions.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendment to House concurrent resolution in which the concurrence of the House was asked.

Concurrent resolution relative to publishing the report of the Board of Control on the extent of tuberculosis in Iowa.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 43, a bill for an act to amend section two thousand three hundred ninety-four (2394) of the code relating to requests to purchase intoxicating liquors.

C. R. BENEDICT,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Young of Lee (by request) Senate file No. 162, a bill for an act making an appropriation for the Iowa Corn Growers Association.

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

By Senator Newberry Senate file No. 163, a bill for an act prohibiting manipulation of the Babcock test and providing punishment therefor.

Read first and second time and referred to committee on Agriculture.

By Senator Saunders Senate file No. 164, a bill for an act to grant and relinquish to the City of Council Bluffs, Iowa, the title of the State of Iowa in or to the meandered lake known as "Carr" Lake.

Read first and second time and referred to committee on Public Lands.

HOUSE MESSAGES CONSIDERED.

House concurred in Senate amendment to House concurrent resolution relative to publishing the report of the Board of Control on the extent of tuberculosis in Iowa.

Ordered passed on file.

House file No. 178, a bill for an act making an appropriation to defray the mileage and expenses of the members of the various committees sent by the Thirty-first General Assembly to visit the several State institutions.

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

House file No. 11, a bill for an act providing for placing a statue in bronze of Samuel J. Kirkwood, ex-Governor of Iowa, in

the National Statuary Hall in the Capitol Building at Washington, D. C., and appropriating money to pay therefor.

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

House file No. 128, a bill for an act providing for the payment of preliminary expenses in connection with drainage districts and making suitable provision for same.

Read first and second time and referred to committee on Judiciary.

House file No. 109, a bill for an act to amend title seventeen (17) chapter four (4) of the code relative to the descent of real property requiring certain things in final reports of administrators, executors, guardians and trustees, and in decrees approving same and providing for the recording of the decrees in any county wherein the realty is situated.

Read first and second time and referred to committee on Judiciary.

House file No. 43, a bill for an act to amend section twenty-three hundred nine-four (2394) of the code relating to request to purchase intoxicating liquors.

Read first and second time and referred to committee on Suppression of Intemperance.

REPORT OF COMMITTEE.

Senator Lewis, from the committee on Elections, submitted the following report:

MR. PRESIDENT—Your committee on Elections to whom was referred Senate file No. 43, a bill for an act to amend sections eleven hundred six (1106), eleven hundred nine (1109), eleven hundred nineteen (1119), eleven hundred twenty (1120), and eleven hundred twenty-one (1121) of the code relating to Elections, form of, and manner of marking ballots, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend section 1 by inserting the words "the law as it appears in" between the words "that" and "section" in the first line.

Also by inserting the words "of the supplement to the code" between the figures "1106" and the word "be" in the first line of said section.

Amend the bill by striking out section 3 and substituting the following in lieu thereof.

That the law as it appears in section 1119 of the supplement to the code be amended by striking out the words beginning with the word "or" in the third line thereof and ending with the word "ticket" in the fifth line thereof.

Also by striking out the words beginning with the word "or" in the ninth line and ending with the word "circle" in the tenth line thereof and when so amended the bill do pass.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Senator Warren asked unanimous consent that the Special Order, Senate file No. 30 be passed for today and made a special order for 10:30 A. M. tomorrow.

Consent granted

THIRD READING OF BILLS.

Senate file No. 96, a bill for an act to amend section twenty-seven hundred sixty-eight (2768) of the code in relation to school house funds with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Spaulding moved that the rule be suspended, and that the bill be considered engrossed, and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Crawford, Dowell, Eckles, Elerick, Ericson, Gale, Harper, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Washington—43.

The nays were:

None.

Absent or not voting:

Courtright, Crossley, Dunham, Garst, Gillilland, Hartshorn, Young of Calhoun—7.

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

Senator Dowell was called to the chair at 10:25 A. M.

Senator Lewis moved that Senate file No. 39 be made a special order for Friday, February 16, 1906, at 11 oclock A. M.

Carried.

Senate file No. 59, a bill for an act to amend section twenty-four hundred fifty (2450) of the code relating to the sale of intoxicating liquors under the mulct law, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Smith of Mitchell moved to amend the bill as follows:

Insert after the word "section" in the first line of section one of the original bill the words "twenty-four hundred and fifty."

Adopted.

Senator Smith of Mitchell moved to amend the bill as follows:

Insert after the word "than" in the fourth line of section 1 of the original bill the words "five thousand."

Adopted.

Senator Smith of Mitchell moved to amend the bill as follows:

Insert after the word "section" in the ninth line of section 1 of the original bill the words "twenty-four hundred fifty-one."

Adopted.

Senator Smith of Mitchell moved to amend the bill as follows:

Insert after the word "than" in the eleventh line of section 1 of the orignal bill the words "five thousand."

Adopted.

Senator Garst moved to amend the bill as follows:

Strike out that part of the printed bill beginning with the word "except" in line three and ending with the figures "5,000" in the same line.

Also by striking out that part of the printed bill beginning with the word "except" in line eight and ending with the word "people" in line nine of said printed bill.

The amendments offered by Senator Garst were lost.

Senator Garst moved to amend the bill as follows:

Strike out after the word "from" in the fifth line of the printed bill, to and including the word "supervisors" in the sixth line of the printed bill and inserting in lieu thereof "July 1st, 1906."

Adopted.

Senator Smith of Mitchell moved to amend the bill as follows:

Strike out all after the word "from" in the ninth line of the printed bill and add in lieu thereof the words "July first, nineteen hundred and six."

Senator Molsberry moved that the bill be re-referred to the committee on Suppression of Intemperance.

The motion prevailed.

So the bill was re-referred to the committee on Suppression of Intemperance.

Senate file No. 103, a bill for an act making an appropriation of the sum of four thousand nine hundred seventy-eight dollars and twenty-seven cents ($4,979.27) to Albert B. Cummins, W. B. Martin, B. F. Carroll and G. S. Gilbertson to reimburse them for funds advanced for the purpose of completing the tabulation of the State census of 1905, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

The chair announced the Senate as in Committee of the Whole.

The chair announced the Senate as in regular session.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the questson, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Crawford, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Harper, Hasselquist, Hayward, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Washington—41.

The nays were:

None.

Absent or not voting:

Brooks, Courtright, Crossley, Gillilland, Hartshorn, Hogue, Hopkins, Stuckslager, Young of Calhoun—9.

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

President pro tem Smith resumed the chair at 11.20 A. M.

Substitute for House file No. 15, a bill for an act to provide for improving the public highways by the use of the road drag, with report of committee recommending amendment was taken up, considered, and the report of the committee adopted.

Senator Hasselquist moved the adoption of the following committee amendment:

Amend by inserting after the word "given" in the fourth line of section two (2) the words "other things being equal."

Adopted.

Senator Hasselquist moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Harper, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Washington—39.

The nays were:

Crawford, Lambert,—2.

Absent or not voting:

Courtright, Crossley, Garst, Gillilland, Hartshorn, Lyons, Spaulding, Stuckslager, Young of Calhoun,—9.

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

Senator Hasselquist moved that Senate file No. 137 be indefinitely postponed.

Carried.

So the bill was indefinitely postponed.

Senate file No. 138, a bill for an act to amend the law as it appears in section one thousand five hundred thirty-three (1533) of the supplement to the code was taken up and considered.

Senator Lambert moved that further consideration of Senate file No. 138, be postponed until the printed bills are in the files and that it retain its place on the calendar.

Carried.

Senate file No. 6, a bill for an act to encourage the use of wagons with wide tires on public highways and providing for a rebate of a portion of their road tax to persons using wagons with tires not less than three inches in width when hauling heavy loads on the public highways of this State, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Newberry offered the following amendment and moved its adoption.

Amend section two (2) in the orignal printed bill by striking out the words "be credited" in the fifth line and inserting the words "received payment" in lieu thereof.

Also strike out the words "or township clerk" in the fifth line.

Also strike out the word "with" in the sixth line and insert the word "of" in lieu thereof.

Also strike out the word "credit" in the seventh line and insert the word "payment" in lieu thereof.

Also strike out the words "road district" in the sixth line.

Adopted.

Senator Hasselquist moved that the time of adjournment be extended until such time as the bill under consideration be disposed of.

Carried.

Senator Warren offered the following amendment and moved its adoption:

By inserting after the word "shall" and before the word "use," the words "in good faith" in first line of section one of the original bill.

Adopted.

Senator Newberry moved that further consideration of this bill be postponed until tomorrow and that it then be taken up under the head of unfinished business.

Carried.

The Journal of yesterday was taken up, corrected and approved.

The time having arrived the Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, February 8, 1906.

Senate met in regular session at 10 A. M., President pro tem Smith presiding.

Prayer was offered by the Rev. F. L. Moffett of Centerville, Iowa.

PETITIONS AND MEMORIALS.

Senator Kinne presented petition of one hundred forty-eight constituents in support of woman suffrage.

Referred to committee on Constitutional Ammendments and Suffrage.

Senator Garst presented petition of members of Iowa National Guard and other citizens in support of the proposed Military bill.

Referred to the committee on Military.

Senator Crossley presented petition of constituents in favor of the pending law limiting the duration of saloon consent petitions.

Referred to committee on Suppression of Intemperance.

Senator Taylor presented petition of one hundred sixty citizens of Centerville in support of the proposed Military bill.

Referred to committee on Military.

Senator Lambert presented petition of women of the Outlook Literary club in favor of a pure food law.

Referred to committee on Public Health.

Senator Kinne presented petition of citizens of Cylinder in support of the Crossley primary law.

Referred to committee on Elections.

Senator Jones presented petition of members of the National Guard and other citizens in support of the Military bill.

Referred to committee on Military.

Senator Lewis presented petition of 91 citizens of Page county in support of a primary law and anti-pass bill.

Referred to committee on Elections.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House file No. 141, a bill for an act to amend title sixteen (16) chapter two (2), and chapter one hundred nineteen (119) of the acts of the Thirtieth General Assembly relating to the conveyance of real property where either spouse is insane.

C. R. BENEDICT,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Hartshorn, Senate file No. 165, a bill for an act to amend section one hundred thirty-eight (138) of the code in relation to printing the docket for the Supreme Court.

Read first and second time and referred to committee on Printing.

By Senator Harper for the Military Committee, Senate file No. 166, a bill for an act providing for the compilation and publication of a roster of Iowa soldiers, sailors and marines, and soldiers and marines of other states and territories living in Iowa in the war with Mexico and the war of the rebellion, the Spanish American and Philippine wars, including military service in the Spirit Lake expedition, and other service against the Indians and making an appropriation therefor.

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

By Senator Young of Washington, Senate file No. 167, a bill for an act making appropriation for the erection of a monument in Elm Grove Cemetery, Washington, Iowa, over the grave of Timothy Brown, a soldier of the Revolutionary war.

Read first and second time and referred to committee on Appropriations

By Senator Hughes, Senate file No. 168, a bill for an act providing for a levy of a special tax of one-fifth of a mill on the dollar upon the assessed valuation of the taxable property of the state for the erection, repair and improvements of buildings for the State University of Iowa.

Read first and second time and referred to committee on Ways and Means.

By Senator Young of Calhoun, Senate file No. 169, a bill for an act appropriating the sum of five thousand ($5,000) dollars to be paid to Lena Ness, guardian of Andrew T. Ness for the use and benefit of Andrew T. Ness in settlement of all claims against the state of Iowa, by reason of the injury to Andrew T. Ness, and damages resulting therefrom in the loss of a leg and for the pain and suffering resulting from said injury, said injury occurring while the said Andrew T. Ness was detained in the State Hospital for the insane at Independence, Iowa.

Read first and second time and referred to committee on Appropriation.

Senator Taylor offered the following concurrent resolution and moved its adoption:

WHEREAS, Hon. Edward J. Gault, who was an honored member of this Senate in the Fourteenth, Fifteenth, Twentieth and Twenty-first General Assemblies, and also a member of the House of Representatives in the Ninth General Assembly, departed this life August 24, 1904,

Be it Resolved by the Senate, the House of Representatives concurring, That a committee of three be appointed by the President of the Senate to co-operate with a similar committee to be appointed by the Speaker of the House to prepare and report appropriate resolutions respecting the life, character and public services of the late Edward J. Gault.

Adopted.

HOUSE MESSAGES CONSIDERED.

House file No. 141, a bill for an act to amend title sixteen (16) chapter two (2) of the code and chapter one hundred nineteen (119) of the acts of the Thirtieth General Assembly relating to the conveyance of real property where either spouse is insane.

Read first and second time and referred to committee on Judiciary.

Senate resumed consideration of Senate file No. 6, which was under consideration yesterday at adjournment.

Senator Elerick offered the following amendment and moved its adoption.

Strike out of line two of section one of the original printed bill all after he word "load."

Strike out of line three in section one of the orginal printed bill the word "weight."

Strike out of line four in section two of the original printed bill the words "exceeding eight hundred pounds in weight."

Senator Harper moved that the previous question be now put.

Carried.

On the question shall the amendments offered by Senator Elerick prevail, a roll call was demanded.

The yeas were:

Eckles, Elerick, Ericson, Garst, Hogue, Jackson, Jamison, Lambert, Maytag, Smith of Des Moines, Spaulding, Stookey, Stuckslager, Turner, Young of Lee, Young of Washington—16.

The nays were:

Bleakly, Brooks, Bruce, Crawford, Crossley, Dowell, Dunham, Harper, Hasselquist, Hayward, Hopkins, Hughes, Jones, Kimmel, Kinne, Lewis, Newberry, Saunders, Smith of Mitchell, Stirton, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Calhoun—27.

Absent or not voting:

Courtright, Gillilland, Gale, Hartshorn, Lyons, Molsberry, Taylor—7.

So the amendment was declared lost.

Senator Newberry moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Brooks, Bruce, Crawford, Crossley, Dowell, Dunham, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jones, Kimmel, Kinne, Lewis, Molsberry, Newberry, Saunders, Smith of Mitchell, Stirton, Stuckslager, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Calhoun—29.

The nays were:

Bleakly, Eckles, Elerick, Ericson, Garst, Hogue, Jackson, Jamison, Lambert, Lyons, Maytag, Smith of Des Moines, Turner—13.

Absent or not voting:

Courtright, Gale, Gillilland, Spaulding, Stookey, Taylor, Young of Lee, Young of Washington—8.

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

The time having arrived the Senate took up Senate file No. 30, a bill for an act to repeal sections twenty-seven hundred thirty-four (2734), twenty-seven hundred thirty-five (2735), twenty-seven hundred thirty-six (2736), twenty-seven hundred thirty-seven (2737), chapter thirteen (13), title thirteen (13) of the code of Iowa, and sections twenty-seven hundred thirty-four (2734), twenty-seven hundred thirty-six (2736), twenty-seven hundred thirty-seven (2737), chapter thirteen (13), title thirteen (13), of the supplement to the code of Iowa, and to define the qualifications of county superintendents; to provide for the examination and certification of teachers for the public schools; the classification of teachers' certificates, and the registration of the same, with report of committee recommending amendments and passage was taken up, considered, and the report of the committee, adopted:

Section one of the bill was read for information.

Senator Warren moved the adoption of the following committee amendments:

That section 1 be amended by inserting after the word "Sections" in the first line thereof the words and figures "Twenty-six hundred thirty-two (2632)," by striking out after the comma following the figures "2737" in line three of section 1 the words and figures "Chapter thirteen (13), title thirteen (13)", by striking out after the word "code" in line three of section 1 the words "of Iowa," by striking out after the comma following the figures "2737" in line five of section 1 the words and figures "Chapter thirteen (13), title thirteen (13)", and by striking out after the word "code' in the fifth line of section 1 the words "of Iowa."

Adopted.

Section two of the bill was read for information.

Senator Warren moved the adoption of the following committee amendment:

That section 2 be amended by striking out after the word "and" in the second line thereof the words and figures "after January 1st, 1909, of a state certificate or diploma."

Adopted.

Senator Hughes moved to amend section two by striking out the word "and" in the second line thereof.

Carried.

Senator Warren moved the adoption of the following committee amendment to section two.

By striking out after the word "he" in the ninth line the words "may at his discretion" and inserting in lieu thereof the word "shall."

Adopted.

Senator Warren moved the adoption of the following committee amendments to section two:

By striking out the comma and the words "and shall upon request of", following the word "county" in the tenth line of section 2 and inserting in lieu thereof the words "at least once during the school year and at such other times as he may be requested by."

Adopted.

Senator Warren moved the adoption of the following committee amendments to section two:

And by striking out after the words "of any school" the words "township, district or independent district, visit any school therein, at least once during its term" and inserting in lieu thereof the word "corporation."

Adopted.

Senator Whipple offered the following amendment to section two (2) and moved its adoption:

Amend section two by adding thereto the following:

The County Superintendent shall on the first Monday of each month file with the County Auditor an itemized and sworn statement of actual traveling expenses incurred during the previous month in visiting schools and in attending educational meetings within the county, and such expenses shall be paid by the county board of supervisors, but the total amount paid for any month shall not be more than twenty dollars ($20.00).

Adopted.

Section three was read for information.

Senator Warren moved the adoption of the following committee amendment:

That section three be amended by inserting after the word "preceding" in the first line thereof the word "in".

Adopted.

Senator Warren moved the adoption of the following committee amendment to section three:

Amend by striking out the word "he" in line three.

Adopted.

Senator Warren moved the adoption of the following committee amendment to section three:

Amend by striking out the word "require" in line three of said section and inserting in lieu thereof the words "be necessary."

Adopted.

Senator Warren moved the adoption of the following committee amendment to section three:

Amend by inserting after the words "board of" in line six the word "educational".

Adopted.

Senator Warren moved the adoption of the following committee amendment to section three:

By striking out after the word "printed" in the seventh line of said section the words "by such party or parties as they may select".

Adopted.

Section four was read for information.

Senator Warren moved the adoption of the following committee amendment:

That section four be amended by inserting after the words "United States" in the third line thereof the word "didactics" and a comma

Adopted.

Senator Warren moved the adoption of the following committee amendment:

Amend by inserting after the word "physics" in the third line thereof the words "elementary civics" and a comma.

Adopted.

Senator Turner offered the following amendment to section four and moved its adoption:

Amend section four by striking out the words "elements of vocal music" in the third line thereof.

A roll call was demanded.

The yeas were:

Crawford, Elerick, Garst, Harper, Hayward, Hogue, Hopkins, Kimmel, Lambert, Lyons, Maytag, Newberry, Saunders, Smith

of Des Moines, Spaulding, Taylor, Turner, Wade, Wilson of Fayette, Winnie, Young of Lee, Young of Washington—22

The nays were:

Bleakly, Brooks, Crossley, Dowell, Dunham, Eckles, Ericson Hartshorn, Hasslequist, Hughes, Jackson, Jamison, Jones, Kinne Lewis, Molsberry, Smith of Mitchell, Stirton, Stookey, Stuck slager, Warren, Whipple, Wilson of Clinton, Young of Calhoun —24.

Absent or not voting:

Bruce, Courtright, Gillilland, Gale—4.

So the amendment offered by Senator Turner was lost.

The Chair announced that he had signed in the presence of the Senate, Senate files Nos. 28, 82 and 99.

Senator Warren moved to reconsider the vote by which the section amendment to section four was adopted.

Carried.

On the question shall the second amendment to section 4 be adopted.

The amendment was lost.

Section five was read for information.

Senator Warren moved the adoption of the following committee amendment:

That section 5 be amended by inserting after the comma following the word "algebra" in the third line thereof the word "and".

Adopted.

Section 6 was read for information.

Section seven was read for information.

Senator Warren moved the adoption of the following committee amendment:

That section 7 be amended by striking out the word "some" in the fifth line thereof and inserting in lieu thereof the words "at least."

Adopted.

Section 8 was read for information.

Section 9 was read for information.

Section ten was read for information.

Senator Warren moved the adoption of the following committee amendment:

That section ten be amended by striking out the word "if" in the third line thereof and inserting in lieu thereof the word "when" and by striking out the word "the" in the fifth line of said section and inserting in lieu thereof the word "a".

Adopted.

By unanimous consent the reading of sections eleven and twelve was omitted.

Section 13 was read for information.

Senator Warren moved the adoption of the following committee amendment:

That section 13 be amended by striking out after the words "of the" in the sixth line the words "state educational board of" and inserting in lieu hereof the words "board of educational."

Adopted.

Senator Jones offered the following amendment to section thirteen and moved its adoption:

Amend section thirteen by striking therefrom the words "person entitled to receive the same" in the ninth line thereof and inserting in lieu thereof the words "County superintendents of the county in which the person entitled thereto resides".

Adopted.

Senator Warren moved the adoption of the following committee amendment:

That section 14 be amended by striking out the word "these" in the third line and inserting in lieu thereof the words "the county superintendents so chosen", and by combining the second paragraph of the said section with the first paragraph thereof and thus include the whole of said section in one paragraph.

Adopted.

Senator Jones offered the following amendment and moved its adoption:

Amend section 14 by striking out the word "Ten" in the 3rd line thereof and inserting the word "majority."

Senator Newberry moved that the time of adjournment be extended ten minutes.

Carried.

Senator Newberry moved that the time of adjournment be extended ten minutes.

The motion was lost.

Senator Newberry moved that further consideration of this bill be postponed until tomorrow and that it come up under the head of unfinished business.

Carried.

Senator Newberry moved that the time of adjournment be extended five minutes.

Carried.

REPORT OF COMMITTEE.

Senator Brooks, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture to whom was referred Senate file No. 8, a bill for an act to prevent the adulteration, misbranding and imitation of foods, to change the name of the office of the "State Dairy Commissioner" to that of "State Food and Dairy Commissioner," and to define his duties; and repealing sections forty-nine hundred eighty-two (4982), forty-nine hundred eighty-four (4984), forty-nine hundred eighty-seven (4987), forty-nine hundred ninety-three (4993), forty-nine hundred ninety-four (4994), forty-nine hundred ninety-five (4995), forty-nine hundred ninety-six (4996), forty-nine hundred ninety-seven (4997), forty-nine hundred ninety-eight (4998) of the code, and sections forty-nine hundred eighty-four-a (4984-a) and forty-nine hundred eighty-four-b (4984-b) as they appear in the supplement of the code; and amending section forty-nine hundred eighty-six (4986) of the code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying bill be substituted therefor and that said substituted bill do pass.

JNO. T. BROOKS,
Chairman.

Adopted.

SUBSTITUTE FOR SENATE FILE NO. 8.

A BILL for an act to prevent the adulteration, misbranding and imitation of foods, to change the name of the office of the "State Dairy Commissioner" to that of "State Food and Dairy Commissioner," and to define his duties; and repealing sections forty-nine hundred eighty-two (4982), forty-nine hundred eighty-four (4984), forty-nine hundred eighty-seven (4987), forty-nine hundred ninety-three (4993), forty-nine hundred ninety-four (4994), forty-nine hundred ninety-five (4995), forty-nine hundred ninety-six (4996), forty-nine hundred ninety-seven (4997), forty-nine hundred ninety-eight (4998) of the code, and sections forty-nine hundred eighty-four-a (4984-a) and forty-nine hundred eighty-four-b (4984-b) as they appear in the supplement of the code; and amending section forty-nine hundred eighty-six (4986) of the code.

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

Section 1. The State Dairy Commissioner shall, by this act, become the State Food and Dairy Commissioner, and shall, on and after the taking effect of this act, have all the powers, compensations and allowances, and shall be charged with all the duties now imposed by law upon the State Dairy Commissioner.

Sec. 2. In addition to his powers and duties as provided in section one (1) hereof, the Commissioner shall be charged with the duty of carrying nto effect the provisions of this act and shall have an official seal. He may, with the approval of the Executive Council, appoint such assistants as he may deemed necessary, who may exercise the powers now provided by law in the case of milk inspectors, together with those conferred by this act. They shall be paid not to exceed five dollars a day when on duty, besides their actual and necessary traveling expenses when traveling under orders. Their accounts shall be itemized and sworn to, and, when approved by the Commissioner and the Executive Council, shall be paid by warrant of the auditor upon the treasurer out of the sum hereinafter appropriated for carrying out the provisions of this act. The commissioner shall receive five hundred dollars annually in addition to the salary now received by the State Dairy Commissioner.

Sec. 3. The commissioner shall, with the approval of the Executive Council, appointed a chemist, who shall be the official chemist under this act, who shall devote his whole time to the duties of such office. He shall receive a salary of two thousand dollars per year, to be paid in the same manner as the salaries of other state officers. He shall make all the examinations necessary in enforcing the provisions of this act, and shall be furnished necessary laboratory, apparatus, supplies and chemicals, to be paid for in the same manner as the accounts of assistants.

Sec. 4. The Commissioner shall, with the approval of the Executive Council, make all necessary rules and regulations for carrying out the provisions of this act, under which the Commissioner shall procure from time to time or whenever he has occasion to believe any of its provisions are being violated, or cause to be procured, for examination chemically, microscopically or otherwise, samples of food shipped into this state or offered for sale in this state. The chemist making the examination shall certify the results of his work to the Commissioner.

Sec. 5. If it shall appear from any such examination that any of the provisions of this act have been violated, the Commissioner shall at once certify the facts to the proper county attorney, with a copy of the results of the analysis, duly authenticated by the analyst under oath. It shall be the duty of every county attorney to whom the commissioner or his assistants shall report any violation of this act, to cause proceedings to be commenced and prosecuted without delay for the fines and penalties in such case provided. An attorney may be appointed by the Governor when he deems advisable to prosecute such cases.

Sec. 6. No person, firm or corporation, by himself, officer, servant or agent, or as the officer, servant or agent of any other person, firm or corporation, shall manufacture or introduce into the state, or solicit or take orders for delivery, or sell, exchange, deliver or have in his possession with the intent to sell, exchange or expose or offer for sale or exchange, any article of food which is adulterated or misbranded, within the meaning of this act. Provided, that none of the penalties set forth in this act shall be imposed upon any common carrier for introducing into the state, or having in its possession, any adulterated or misbranded articles of food, where the same were received by said carrier for transpor-

tation in the ordinary course of its business and without actual knowledge of the adulteration or misbranding thereof. Provided, that any manufacturer, wholesaler or jobber may keep goods specifically set apart in his stock for sale in other states, which might otherwise be in violation of the provisions of this act.

Sec. 7. The word "commissioner," whenever used in this act, shall be taken to mean the State Food and Diary Commissioner herein provided for. The word "food," as herein used, shall include all articles used for food, drink, confectionery or condiment, by any man or domestic animals, whether simple, mixed or compound. The term "misbranded" as herein used, shall apply to all articles of food, or articles which enter into the composition of food, the package or label of which shall bear any statement regarding the ingredients or substances contained in such article, which statement shall be false or misleading in any particular, and to any food or product which is falsely branded as to the state or country in which it is manufactured or produced, or shall bear any false statement regarding the net weight or quantity contained in the package.

Sect. 8. For the purpose of this act, an article of food shall be deemed to be adulterated:

First, If any substance or substances has or have been mixed and packed with it so as to reduce or lower, so as to thereby injuriously affect its quality, strength or purity.

Second, If any substance or substances has or have been substituted wholly or in any part for the article.

Third, If any valuable constituent of the article has been wholly or in part abstracted.

Fourth, If it be an imitation of, or offered for sale, under the specific name of another article.

Fifth, If it be mixed, colored, powdered or stained, in a manner whereby damage or inferiority is concealed.

Sixth, If it contains any added poisonous ingredients, or any ingredient which may render such article injurious to health, or if it contains saccharine or formaldehyde.

Seventh, If it be labeled or branded so as to deceive, or mislead the purchaser, or purport to be a foreign product when not so.

Eighth, If it consist of the whole or any part of a diseased, filthy, decomposed or putrid animal or vegetable substance, or any portion of an animal unfit for food, whether manufactured or not, or if it is the product of a diseased animal, or one that has died otherwise than by slaughter; provided, that an article of food which does not contain any added poisonous or deleterious ingredient shall not be deemed to be adulterated in the following cases:

1. In the case of mixtures or compounds which may be now or from time to time hereafter known as articles of food under their own distinctive names and not included in definition fourth of this section; provided, that candies and chocolates shall be deemed to be adulterated if they contain terra alba, barytes, talc, chrome yellow, or other mineral substances, or poi-

sonous colors or flavors, or other ingredients deleterious or detrimental to health; provided, that in case of baking powders, each can or package shall be plainly labeled so as to show the name of each and every ingredient contained therein.

2. In the case of articles labeled, branded, or tagged, so as to plainly indicate that they are mixtures, compounds, combinations, imitations or blends, provided that the same shall be labeled, branded, or tagged, so as to show the exact character and constituents thereof; and provided further, that nothing in this act shall be construed as requiring or compelling proprietors or manufacturers of proprietary foods which contain no unwholesome added ingredients to disclose their trade formulas, except in so far as the provisions of this act may require to secure freedom from adulterations or imitation.

Sec. 9. Labels required by this act shall be distinctly printed in the English language in legible type no smaller than brevier heavy gothic caps, and shall be placed upon the outside of each package and contain the name and address of the manufacturer, packer or dealer, and the words, "This (followed by the name of the article of food) is composed of the following ingredients and none other," and immediately after said words shall be printed upon said label, in the style and manner herein specified, the true and correct name of each and all of the ingredients contained in or constituting a component part to such mixture, compound, combination, imitation or blend, and if artifically colored or preserved, the name of each and every such added substance shall be plainly stated on the label. There shall be such a contrast between the color of the label and the color of the ink used in printing the label as heretofore provided, that the label shall be easily and plainly legible.

Sec. 10. Any person who manufactures or exposes for sale, or delivers to a purchaser any article of food, shall furnish, within business hours, and upon payment or tender of the selling price, a sample of such food to any person duly authorize by the commissioner to receive the same, and who shall apply to such vendor, or person delivering to a purchaser, such article of food for such sample for such use in sufficient quantity for the analysis of any such article or articles in his possession. In the presence of such person and an agent of a commissioner, if so desired by either party, said sample shall be divided into three parts, and each part shall be sealed with the seal of the commissioner. One part shall be left with the dealer, one delivered to the commissioner, and one deposited with the county attorney for the county in which the sample is taken. The having in possession by any person who manufactures or exposes for sale, any adulterated or misbranded food, with in the meaning of this act, shall be prima facie evidence of having in possession with intent to sell in violation of its provisions.

Sec. 11. Any person, firm, corporation, or agent thereof, who refuses to comply, on demand, with any of the requirements of this act, or who shall violate any of its provisions, or who shall obstruct or hinder the commissioner, or any of his assistants, in the discharge of any duty imposed by this act, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding one hundred dollars.

Sec 12, The Commissioner shall, from time to time, with the approval of the Executive Council, issue a printed bulletin, showing the results of inspections, analyses, and prosecutions undertaken under this act, together with such general information as may be deemed suitable. Such bulletins shall be printed in such numbers as may be directed by the Executive Council, and shall be issued to the newspapers of the State and to all interested persons.

Sec. 13. For the purpose of enabling the Commissioner to enforce the provisions of this act, for the compensation and expenses of assistants and experts, for necessary traveling and miscellaneous expenses, and for all other expenses herein provided, the sum of ten thousand dollars ($10,000) annually, or so much thereof as may be necessary, is hereby appropriated from the treasury not otherwise appropriated.

Sec. 14. All goods purchased and received by either wholesale or retail dealers of this state prior to July first, nineteen hundred six (1906), shall be exempt from the provisions of this act to July first, nineteen hundred seven (1907).

Sec. 15. Upon the prosecution of a corporation for violations of the provisions of this act, or of section forty-nine hundred eighty-nine (4989) of the code, and information filed before a justice of the peace having jurisdiction, the said justice of the peace shall forthwith issue notice to the corporation which shall substantially notify the defendant of the charges contained in the information and that it must forthwith appear and answer the same, which notice may be served by any peace officer in any county of the state on any officer or agent of the defendant corporation by reading the same to him and leaving with him a copy thereof; said notice shall be returned to the justice of peace without delay with proper return of its service, and from and after two days from the time of making such service the defendant corporation shall be considered to be in court, and all further proceedings shall be the same as against an individual defendant.

Sec. 16. Section forty nine hundred eighty-six (4986), of the code is hereby amended by striking out in the second line thereof the words and characters "food, drink or", and in the third line thereof the words and characters "food, drink or", and by striking out all after the word "same" in the fourteenth line of said section, and by changing the semicoln after the word "same" to a period.

Sec. 17. Section forty-nine hundred eighty-two (4982), forty-nine hundred eighty-four (4984), forty-nine hundred eighty-seven (4987), forty-nine hundred ninety-three (4993), forty-nine hundred ninety-four (4994), forty-nine hundred ninety-five (4995), forty-nine hundred ninety-six (4996), forty-nine hundred ninety-seven (4997), and forty-nine hundred ninety-eight (4998) of the code, and sections forty-nine hundred eight-four-"a" (4984-a), and forty-nine hundred eighty-four-"b" (4984-b) as they appear in the supplement to the code, are hereby repealed.

The substitute was read first and second time by title and referred to committee on Appropriations.

Also:

Senator Dunham, from the committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your committee on Suppression of Intemperance to whom was referred Senate file No. 59, a bill for an act to amend section twenty-four hundred fifty (2450) of the code relating to the sale of intoxicating liquors under the mulct 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 same be amended by the following substitute and when so amended the bill do pass.

GEO. W. DUNHAM,
Chairman.

SUBSTITUTE FOR SENATE FILE NO. 59.

A BILL for an act to amend section twenty-four hundred fifty (2450) of the code relating to the sale of intoxicating liquors under the mulct law.

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

Section 1. Section twenty four hundred fifty (2450) of the code is hereby amended by adding thereto the following: In all cases except cities containing a population of more than five thousand (5000), said petition of general consent when found sufficient by the Boardof Supervisors or the City Council as the case may be, shall, unless otherwise revoked under section twenty-four hundred fifty-one (2451) of the code, be in force and effect for the period of three years only; and all petitions and statements of general consent under the Mulct Law in force and effect previous to the first day of July nineteen hundred six (1906), except those in cities containing a population of more than five thousand (5000), shall, unless revoked under section twenty-four hundred fifty-one (2451) of the code, be and become null and void and of no effect on and after three years from July 1, 1906.

Substitute was read first and second time.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Turner from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 99, a bill for an act making an appropriation to defray the expenses of the reception tendered ex-Governor William Larrabee by the Thirty-first General Assembly.

Also Senate file No. 82, a bill for an act to legalize the action of the Board of Supervisors of Des Moines county, Iowa, relating to the sale of school lands in section 16 township 71 north of range 1 west of the 5th principal meridan and to authorize the Governor to issue a patent therefor to the heirs of John Olson.

Also Senate file No. 28, a bill for an act to amend section thirty-six fifty-two (3652) of the code, relating to trial and judgment.

D. W. TURNER,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turner from the joint committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your joint committee on enrolled bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 99, a bill for an act making an appropriation to defray the expenses of the reception tendered ex-Governor William Larrabee by the Thirty-first General Assembly.

Also Senate file No. 82, a bill for an act to legalize the action of the Board of Supervisors of Des Moines county, Iowa, relating to the sale of school lands in section 16, township 71, north of range 1 west of the 5th principal meridan and to authorize the Governor to issue a patent therefor to the heirs of John Olson.

Also Senate file No. 28, a bill for an act to amend section thirty-six hundred fifty-two (3652) of the code, relating to trial and judgment.

D. W. TURNER,
Chairman Senate Committee.
H. L. SPAULDING,
Chairman House Committee.

Ordered passed on file.

The president pro tem announced the following Senators members of the joint committee to prepare appropriate resolutions respecting the life, character and public services of the late Edward J. Gault:

Senators, Taylor, Lewis, Young of Lee.

Senator Lewis moved that the time of adjournment be extended for the correction of the Journal only.

Carried.

The Journal of yesterday was taken up, corrected and approved.

Senator Hughes moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, February 9, 1906.

Senate met in regular session at 10 o'clock A. M., President, Herriott presiding.

Prayer was offered by the Rev. F. C. Edwards of Pella, Iowa.

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 bill in which the concurrence of the Senate is asked:

House file No. 107, a bill for an act to amend section nine hundred seventy-five (975) of the code relating to delinquent taxes in cities under special charter.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 153, a bill for an act to amend section seven (7), chapter forty (40) of the acts of the Thirtieth General Assembly of the State of Iowa, relating to primary elections and the manner in which candidates may procure their names to be placed on the primary ticket.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Substitute for Senate file No. 89, a bill for an act to repeal sections nineteen hundred seventy-six (1976), nineteen hundred seventy-nine (1979), nineteen hundred eighty-two (1982) and nineteen hundred eighty-four (1984)

of the code and to enact substitutes therefor, and to amend sections nineteen hundred seventy-seven (1977) and nineteen hundred eighty-six (1986) of the code, relating to levees built by the United States.

C. R. BENEDICT,
Chief Clerk.

Also.

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 104, a bill for an act making an appropriation to defray the mileage and expenses of the members of the two joint committees appointed by the Thirtieth General Assembly under joint resolutions originating in the Senate, numbered six and seven.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 102, a bill for an act making an appropriation to cover deficiency on account of additional employes of the Thirtieth General Assembly and to pay the additional employes of the Thirty-first General Assembly.

C. R. BENEDICT,
Chief Clerk.

PETITIONS AND MEMORIALS.

Senator Stuckslager presented petitions of Ladies' Literary Club of Cedar Rapids and club women of Tama, Benton, Linn, Iowa, Johnson and Powesheik counties in support of a pure food law.

Referred to committee on Public Health.

Senator Young of Calhoun presented petition of citizens of Rockwell City, and members of the Rockwell City Tourist Club in favor of House file No. 6.

Referred to committee on Public Health.

Senator Bleakly presented declaration of principles of nearly six hundred citizens of Ida county, asserting their adherence to certain public questions as advocated by Governor Cummins and President Roosevelt.

Referred to committee on Federal Relations.

Senator Young of Calhoun asked unanimous consent that Senate file No. 169 be recalled from the committee on Appropriations and that it be referred to the committee on Claims.

Consent granted.

INTRODUCTION OF BILLS.

By Senator Spaulding, Senate file No. 170, a bill for an act to repeal section twenty-seven hundred thirteen (2713) of the supplement to the code, and to increase the fund for the support of the industrial school, and to fix the minimum monthly allowance for each department thereof.

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

By Senator Crossley, Senate file No. 171, a bill for an act to assign rooms Nos. 18 and 19 to the State Horticutural Society amendatory to title two (2) chapter six (6) of the code, pertaining to public buildings.

Read first and second time and referred to committee on Public Buildings.

By Senator Dunham, Senate file No. 172, a bill for an act to encourage the planting of forest and fruit trees in the State of Iowa.

Read first and second time and referred to committee on Agriculture.

By Senator Lambert, Senate file No. 173, a bill for an act to amend sections seventy (70), seventy-one (71) and one hundred forty-one (141) of the code, and to repeal the law as it appears in section one hundred twenty-five (125) of the supplement to the code, and enact a substitute therefor, and to repeal the law as it appears in section one hundred twenty-six (126), of the supplement to the code as amended by chapter five (5) of the acts of the Thirtieth General Assembly and to enact a substitute therefor and to amend, etc.

Read first and second time and referred to committee on Printing.

By Senator Saunders, Senate file No. 174, a bill for an act to amend sections fifteen hundred twenty-eight (1528) and fifteen hundred thirty (1530) of the supplement to the code, relative to the levying of road taxes and working the same.

Read first and second time and referred to committee on Highways.

By Senator Stookey, Senate file No. 175, a bill for an act to amend sections five hundred sixty-five (565) and eleven hundred thirty (1130) of the code in relation to the election of

township clerk and township trustees in townships, a part of which is included within the corporate limits of any city or town.

Read first and second time and referred to committee on Judiciary.

The President announced as teller for the joint convention to be held today, Senator Crossley.

Senator Dowell was called to the chair at 10:15 A. M.

HOUSE MESSAGES CONSIDERED.

House file No. 107, a bill for an act to amend section nine hundred seventy-five of the code relating to delinquent taxes in cities under special charter.

Read first and second time and referred to committee on Cities and Towns.

House file No. 153, a bill for an act to amend section seven (7) chapter forty (40) of the acts of the Thirtieth General Assembly of the State of Iowa, relating to primary elections and the manner in which candidates may procure their names to be placed on the primary ticket.

Read first and second time and referred to committee on Elections.

House amended and passed substitute for Senate file No. 89, a bill for an act to repeal sections one thousand nine hundred seventy-six (1976) one thousand nine hundred seventy-nine (1979) one thousand nine hundred eighty-two (1982) and one thousand nine hundred eighty-four (1984) of the code and to enact substitutes therefor, and to amend sections one thousand nine hundred seventy-seven (1977) and one thousand nine hundred eighty-six (1986) of the code, relating to levees built by the United States.

Ordered passed on file.

House amended and passed Senate file No. 104, a bill for an act making an appropriation to defray the mileage and expenses of the members of the two joint committees appointed by the Thirtieth General Assembly under joint resolution originating in the Senate, numbers six and seven.

Ordered passed on file.

Senate file No. 102, a bill for an act making an appropriation to cover deficiency on account of additional employes of the Thirtieth General Assembly and to pay the additional employes of the Thirty-first General Assembly.

Ordered passed on file.

REPORT OF COMMITTEE.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred a substitute for Senate file No. 8, a bill for an act to prevent the adulteration, misbranding, and imitation of foods, to change the name of the office of "State Dairy Commissioner" to that of "State Food and Dairy Commissioner", and to define his duties; and repealing sections forty-nine hundred eighty-two (4982), forty-nine hundred eighty-four (4984), forty-nine hundred eighty-seven (4987), forty-nine hundred ninety-three (4993), forty-nine hundred ninety-four (4994), forty-nine hundred ninety-five (4995), forty-nine hundred ninety-six (4996), forty-nine hundred ninety-seven (4997), forty-nine hundred ninety-eight (4998), of the code, and sections forty-nine hundred eighty-four-a (4984-a) and forty-nine hundred eighty-four-b (4984-b), as they appear in the supplement to the code; and amending section forty-nine hundred eighty-six (4986) of the code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows: Change the period at the end of the title to the substitute bill to a comma and add the following words: "and making an appropriation for the purpose of carrying out the provisions of the act", and when so amended the bill do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Brooks, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture to whom was referred Senate file No. 160, a bill for an act for the erection, repair and equipment of buildings for the Iowa State College of Agriculture and Mechanic Arts beg leave to report that 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 Ways and Means.

JOHN T. BROOKS,
Chairman.

Adopted.

Senator Dowell, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 127, a bill for an act to legalize the proceedings of the city council of the city of Davenport in improving a portion of Eddy street, and the Davenport and LeClair road, and the re-levy of the assessment of the cost 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 indefinitely postponed.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 155, a bill for an act to legalize the incorporation of the town of Meservey, Cerro Gordo 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 same be amended as follows:

That section 1 be amended by striking out the following words at the begining of said section "Incorporation, election, acts and ordinances legalized-pending litigation."

That section 2 be amended by striking out at the begining of said section the word "In effect," and when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 115, a bill for an act to amend section number twenty-nine hundred forty-one (2941) of the code relative to the recording instruments affecting lots in cities and towns or villages, in separate books, by adding thereto as follows: beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

That the title be amended by striking out all after the word "books" in the third line thereof.

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 128, a bill for an act providing for the payment of preliminary expenses in connection with drainage districts, and making suitable provision for 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 same be amended as follows:

That Section 1 be amended by striking out the word "to" in the thirteenth line of the bill and inserting in lieu thereof the words "they shall", and when so amended the bill do pass."

C. C. DOWELL,
Chairman.

Ordered passed on file.

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 66, a bill for an act providing punishment for the injury or destruction of sidewalks, additional to chapter four (4) of title twenty-four (24) of the code beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

President Herriott resumed the chair at 10:25 A. M.

Senator Smith of Mitchell moved that substitute for Senate file No. 59 be made a special order for Wednesday next at 10:30 A. M.

Carried.

Senator Newberry moved that substitute for Senate file No. 8 be made a special order for Tuesday next at 10:30 o'clock A. M.

Carried.

REPORT OF COMMITTEE.

Senator Brooks, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture to whom was referred Senate file No. 14, a bill for an act to amend section one thousand six hundred fifty-seven e (1657-e) of the supplement to the code, to provide for the election of directors of the Board 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 same be amended as follows: Insert in the first line of the title of the bill between the word "amend" and the word "section" the following "the law as it appears in" amend section one by striking out the word "that" in the first line and inserting in lieu thereof the words "the law as it appears in", and when so amended the bill do pass.

JOHN T. BROOKS,
Chairman.

Adopted.

The Senate resumed consideration of Senate file No. 30 which was under consideration yesterday at adjournment.

On request of Senator Wilson of Clinton leave of absence was granted Senator Dunham for the remainder of the day.

On the question shall the amendment offered by Senator Jones be adopted, a roll call was demanded.

The yeas were:

Bleakly, Courtright, Crawford, Eckles, Elerick, Hartshorn, Jones, Lambert, Lyons, Maytag, Molesberry, Newberry, Spaulding, Stookey, Taylor, Wade, Wilson of Fayette, Young of Lee —18.

The nays were:

Brooks, Bruce, Crossley, Dowell, Ericson, Garst, Gillilland, Harper, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Kimmel, Kinne, Lewis, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Turner, Warren, Whipple, Wilson of Clinton, Young of Calhoun, Young of Washington—29.

Absent or not voting:

Dunham, Gale, Winne—3.

So the amendment was lost.

Senator Warren moved the adoption of the following committee amendment:

That section seventeen (17) be amended by striking out after the words "fee of" in the third line the words "fifty cents" and inserting in lieu thereof the words "one dollar."

Adopted.

Senator Warren moved the adoption of the following committee amendment to section 17:

Amend by inserting the words "or diploma" in the fourth line after the word "certificate."

Adopted.

Senator Warren moved the adoption of the following committee amendment:

That section 19 be amended by inserting a comma and the words "and thereupon provisional certificates may be issued by the board of educational examiners" after the word "examination" and before the period in the fifth line thereof.

Adopted.

Senator Warren moved the adoption of the following committee amendment:

That section 21 be amended by striking out after the comma following the word "diploma" in the ninth line the words "the same to be effective" and by inserting in lieu thereof the words "and the same shall become operative and of full force and effect."

Adopted.

Senator Warren moved the adoption of the following committee amendment:

Amend section 21 by striking out after the word "within" the word "the" in the thirteenth line of said section and by inserting after the word "days" and before the comma in the thirteenth line of said section the words "from the date of such mailing."

Adopted.

Senator Warren moved the adoption of the following committee amendment:

Amend section 21 by striking out in the 17th line of said section the words "educational board of" and inserting in lieu thereof the words "board of educational."

The amendment was lost.

Senator Warren moved the adoption of following committee amendment:

That section twenty-two be amended by inserting before the word "board" in the second line of section the words "of educational."

Adopted.

Senator Warren moved the adoption of the following committee amendment:

That section twenty-three be amended by striking out following the word "after" the words "January 1, 1907," and inserting in lieu thereof "October 1, 1906."

Adopted.

Senator Young of Calhoun offered the following amendment to section twenty-one and moved its adoption:

To insert after the word "cruelty" in line four of section twenty-one the words "violation of contract."

Adopted.

Senator Warren offered the following amendment to section twenty and moved its adoption:

Amend section twenty by striking out the word "a" before "provisional" in the first line, and inserting in lieu thereof the following:

"All certificates provided for in this act shall be valid in any county within the state, when registered in such county, but a."

Adopted.

Senator Jones offered the following amendment and moved its adoption:

Amend section four by inserting the words "political economy" after the word "algebra" in the third line thereof.

Adopted.

Senator Crossley offered the following amendment and moved its adoption:

That wherever the word "board of educational examiners" appears in the bill, it be changed to read, "educational board of examiners."

Adopted.

Senator Courtright offered the following amendment and moved its adoption:

Striking out all that part of section two of the printed bill after the word "shall" in line six to and including the word "and" in line seven thereof.

Adopted.

Senator Warren offered the following amendment and moved its adoption:

Amend section two by striking out the word "him" in the eighth line of the printed bill and insert in lieu thereof the words "Superintendent of Public Instruction."

Adopted.

Senator Dowell moved that the vote by which the amendment offered by Senator Jones to section two be reconsidered.

A committee appeared from the House and informed the Senate that the House was ready to receive the Senate in joint convention for the purpose of electing a State Printer and State Binder, also Regents of the University and Trustees for the College of Agriculture and Mechanic Arts, also Trustees for the State Normal School.

The Senate proceeded to the House under direction of the Sergeant-at-Arms for the purpose of joint convention.

JOINT CONVENTION.

The joint convention was called to order by Lieutenant Governor Herriott at 11:30 A. M.

The roll was called and the following members of the General Assembly responded to the call of their names:

Bailey, Bealer, Bixby, Bleakly, Boland, Brooks, Bruce, Buckingham, Calderwood, Carden, Carstensen, Cassel, Chassell, Cheney, Christianson, Clark of Poweshiek, Clarke of Dallas, Clary, Cobb, Coburn, Colclo, Conn, Courtright, Crawford, Crose, Crossley, Cummings, Darrah, Dashiell, Davie, DeMar, Doran, Dowell, Eckles, Elerick, English, Epperson, Ericson, Flenniken, Freeman, Gale, Garst, Geneva, Gillilland, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harper, Hartshorn, Hasselquist, Hayward, Head, Heles, Hogue, Hollembeak, Hopkins, Hughes, Hume, Jackson, Jacobson, Jamison, Jepson, Jones of Mahaska, Jones of Montgomery, Kendall, Kennedy, Kimmel, Kinne, Kling, Koontz, Laird, Leech, Lewis, Lister, Lowrey, Lyons, McAllister, McClurkin, McCulloch, McDole, McElrath, McNie, Maben, Martin, Mattes, Maytag, Meredith, Molsberry, Morris, Mott, Newberry, Nichols, Offill, Olson, Peet, Powers, Pritchard, Ritter, Robinson, Sankey, Saunders, Saylor, Shaffer, Skinner, Smith of Mitchell, Spaulding of Floyd, Spaulding of Howard, Springer, Stirton, Stookey, Stoltenberg, Stuckslager, Summers, Taylor, Teachout, Teter, Turner, Van Eaton, Wade, Warren, Washburn, Weeks, Whitmer, Wilson of Fayette, Wilson of Clinton, Wilson of Washington, Winne, Wise, Wright, Wyland, Young of Calhoun, Young of Lee, Young of Washington—139.

President Herriott announced that 139 members of the joint convention were present and that the joint convention was duly organized, with a quorum present.

The President announced the purpose of the joint convention to be the election of a State Printer, a State Binder, four regents of the State University, two trustees of the State Normal School, and four trustees of the College of Agriculture and Mechanic Arts.

The President announced the Tellers of the joint convention to be Senator Crossley and Representative Lowrey.

Wise of Black Hawk offered the following resolution and moved its adoption:

Resolved, By the Joint Convention of the Thirty-first General Assembly:

That Emory H. English be and is hereby elected State Printer for the term beginning January 1, 1907, and that E. D. Chassell be and is hereby elected State Binder for the term beginning January 1, 1907; that W. I. Babb, of the First Congressional district, Joe R. Lane, of the Second Congressional district, W. D. Tisdale, of the Sixth Congressional district, Carroll Wright, of the Seventh Congressional district, be and are hereby elected Regents of the State University for the term beginning May 1, 1906; that W. R. Moniger, of the Fifth Congressional district, Charles R. Brenton, of the Seventh Congressional district, J. B. Hungerford, of the Tenth Congressional district, W. J. Dixon, of the Eleventh Congressional district, be and are hereby elected trustees of the Iowa State College of Agriculture and Mechanic Arts for the term beginning May 1, 1906; and that I. J. McDuffie of Plymouth county, and Roger Leavitt of Black Hawk county, be and are hereby elected trustees of the State Normal School for the term beginning May 1, 1906.

On the question, Shall the resolution be adopted?

The yeas were:

Bailey, Bealer, Bixby, Bleakly, Boland, Brooks, Bruce, Buckingham, Calderwood, Carden, Carstensen, Cassel, Cheney, Christianson, Clark of Poweshiek, Clarke of Dallas, Clary, Cobb, Coburn, Colclo, Conn, Courtright, Crawford, Crose, Crossley, Cummings, Darrah, Dashiell, Davie, DeMar, Doran, Dow, Dowell, Eckles, Elerick, Epperson, Ericson, Flenniken, Freeman, Gale, Garst, Geneva, Gillilland, Greeley, Greene, Gregory, Hakes, Hambleton, Hanna, Harper, Hartshorn, Hasselquist, Hayward, Head, Heles, Hogue, Hollembeak, Hopkins, Hughes, Hume, Jackson, Jacobson, Jamison, Jepson, Jones of Mahaska, Jones of Montgomery, Kendall, Kennedy, Kimmel, Kinne, Kling, Koontz, Laird, Leech, Lewis, Lister, Lowrey, McAllister, McClurkin, McCulloch, McDole, McElrath, McNie, Maben, Martin, Mattes, Maytag, Meredith, Molsberry, Morris, Mott, Newberry, Nichols, Offil, Olson, Peet, Powers, Pritchard, Ritter, Robinson, Sankey, Saunders, Saylor, Shaffer, Smith of Mitchell, Spaulding of Floyd, Spaulding of Howard, Springer, Stirton, Stookey, Stoltenberg, Stuckslager, Summers, Taylor, Teachout, Teter, Turner, Van Eaton, Wade, Warren, Wasburn, Weeks, Whiting, Whitmer, Wilson of Fayette, Willson of Washington, Winne, Wise, Wright, Wyland, Young of Calhoun, Young of Washington—132.

The nays were:

None.

Absent or not voting:

Chassell, Dunham, English, Frudden, Hart, Lambert, Langan, Lundt, Lyons, McCreary, Skinner, Smith of Des Moines, Stanbery, Temple, Welden, Whipple, Wilson of Clinton, Young of Lee—18.

The tellers announced that 131 members of the joint convention had voted for the candidates named in the resolution.

So the resolution was declared to be adopted and the persons named therein declared elected to the offices for which they were named and for the terms specified in the resolution.

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

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, February 9, 1906.

This is to certify that at an election by the two Houses of the Thirty-first General Assembly of the State of Iowa, in joint convention, on the 9th day of February, A. D. 1906, for the purpose of electing officers of the various State Institutions, W. J. Dixon, having received a majority of all votes cast for said office, was declared duly elected as trustee of College of Agriculture and Mechanic Arts, 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 9th day of February, A. D. 1906.

JOHN HERRIOTT,
President of the Senate.
GEO. W. CLARKE,
Speaker of the House of Representatives.

JAMES J. CROSSLEY,
Teller on part of Senate.
J. H. LOWREY,
Teller on part of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, February 9, 1906.

This is to certify that at an election by the two Houses of the Thirty-first General Assembly of the State of Iowa, in joint convention, on the 9th day of February, A. D. 1906, for the purpose of electing officers of the various State institutions, W. R. Moniger, having received a majority of all votes cast for said office, was declared duly elected as trustee of College of Agriculture and Mechanic Arts, 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 9th day of February, A. D. 1906.

JOHN HERRIOTT,
President of the Senate.
GEO. W. CLARKE,
Speaker of the House of Representatives.

JAMES J. CROSSLEY,
Teller on part of Senate,
J. H. LOWREY,
Teller on part of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, February 9, 1906.

This is to certify that at an election by the two Houses of the Thirty-first General Assembly of the State of Iowa, in joint convention, on the 9th day of February, A. D. 1906, for the purpose of electing officers of the various State institutions, Chas. R. Brenton, having received a majority of all votes cast for said office, was declared duly elected as trustee of College of Agriculture and Mechanic Arts, 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 9th day of February, A. D. 1906.

JOHN HERRIOTT,
President of the Senate.
GEO. W. CLARKE,
Speaker of the House of Representatives.

JAMES J. CROSSLEY,
Teller on part of Senate.
J. H. LOWREY,
Teller on part of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, February 9, 1906.

This is to certify that at an election by the two Houses of the Thirty-first General Assembly of the State of Iowa, in joint convention, on the 9th day of February, A. D. 1906, for the purpose of electing the officers of the various State institutions, J. B. Hungerford, having received a majority of all votes cast for said office, was declared duly elected as trustee of College of Agriculture and Mechanic Arts, for the term of six years from and after the expiration of the term of the present incumbent, and until his seccessor is elected and qualified.

Signed in the presence of the joint convention this 9th day of February, A. D. 1906.

JOHN HERRIOTT,
President of the Senate.
GEO. W. CLARKE,
Speaker of the House of Representatives.

JAMES J. CROSSLEY,
Teller on part of Senate.
J. H. LOWREY
Teller on part of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, February 9, 1906.

This is to certify that at an election by the two Houses of the Thirty-first General Assembly of the State of Iowa, in joint convention, on the 9th day of February, for the purpose of electing officers of the various State institutions, W. I. Babb, having received a majority of all the votes cast for said office, was declared duly elected as Regent of the State University for the term 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 9th day of February, A. D. 1906.

JOHN HERRIOTT,
President of the Senate.
GEO. W. CLARKE,
Speaker of the House of Representatives.

JAMES J. CROSSLEY,
Teller on part of the Senate.
J. H. LOWREY,
Teller on part of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, February 9, 1906.

This is to certify that at an election by the two Houses of the Thirty-first General Assembly of the State of Iowa, in joint convention, on the 9th day of February, for the purpose of electing officers of the various State institutions, W. D. Tisdale, having received a majority of all the votes cast for said office, was declared duly elected as Regent of the State University for the term 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 9th day of February, A. D. 1906.

JOHN HERRIOTT,
President of the Senate.
GEO. W. CLARKE,
Speaker of the House of Representatives.

JAMES J. CROSSLEY,
Teller on the part of the Senate.
J. H. LOWREY,
Teller on the part of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, February 9, 1906.

This is to certify that an election by the two Houses of the Thirty-first General Assembly of the State of Iowa, in joint convention, on the 9th day of February, for the purpose of electing officers of the various State institutions, Carroll Wright, having received a majority of all the votes cast for said office, was declared duly elected as Regent of the State University for the term 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 9th day of February A. D. 1906.

JOHN HERRIOTT,
President of the Senate.
GEO. W. CLARKE,
Speaker of the House of Representatives.

JAMES J. CROSSLEY,
Teller on the part of the Senate,
JOHN H. LOWREY,
Teller on the part of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, February 9, 1906.

This is to certify that at an election by the two Houses of the Thirty-first General Assembly of the State of Iowa, in joint convention, on the 9th day of February, for the purpose of electing officers of the various State institutions, Joe R. Lane, having received a majority of all the votes cast for said office, was declared duly elected as Regent of the State University for the term 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 9th day of February, A. D. 1906.

JOHN HERRIOTT,
President of the Senate.
GEO. W. CLARKE,
Speaker of the House of Representatives.

JAMES J. CROSSLEY,
Teller on part of the Senate.
J. H. LOWREY,
Teller on part of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, February 9, 1906.

This is to certify that at an election by the two Houses of the Thirty-first General Assembly of the State of Iowa, in joint convention, on the 9th day of February, A. D. 1906, for the purpose of electing officers of the various State institutions, I. J. McDuffie having received a majority of all the votes cast for said office, was declared duly elected as Trustee of State Normal School, 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 9th day of February, A. D. 1906.

JOHN HERRIOTT,
President of the Senate.
GEO. W. CLARKE,
Speaker of the House of Representatives

JAMES J. CROSSLEY,
Teller on part of the Senate.
J. H. LOWREY,
Teller on part of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, February 9, 1906.

This is to certify that at an election by the two Houses of the Thirty first General Assembly of the State of Iowa, in joint convention, on the 9th day of February, A. D. 1906, for the purpose of electing the officers of the various state institutions, Roger Leavitt having received a majority of all the votes cast for said office, was declared duly elected as trustee of State Normal School, 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 9th day of February, A. D. 1906.

JOHN HERRIOTT,
President of the Senate.
GEO. W. CLARKE,
Speaker of the House of Representatives.

JAMES J. CROSSLEY,
Teller on part af the Senate.
J. H. LOWREY,
Teller on part of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, February 9, 1906.

This is to certify that at an election by the two Houses of the Thirty-first General Assembly of the State of Iowa, in joint convention, on the 9th day of February, 1906, for the purpose of electing a State Binder, E. D. Chassell, 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 9th day of February, A. D. 1906.

JOHN HERRIOTT,
President of the Senate.
GEO. W. CLARKE,
Speaker of the House of Representatives.

JAMES J. CROSSLEY,
Teller on part of the Senate.
J. H. LOWREY,
Teller on part of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, IOWA, Febrvary 9, 1906.

This is to certify that at an election by the two Houses of the Thirty-first General Assembly of the State of Iowa in joint convention, on the 9th day of February, 1906, for the purpose of electing a State Printer, Emory H. English, 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 9th day of February, A. D. 1906.

JOHN HERRIOTT,
President of the Senate.
GEO. W. CLARKE,
Speaker of the House of Representatives.

JAMES J. CROSSLEY,
Teller on part of the Senate.
J. H. LOWREY,
Teller on part of the House of Representatives.

The minutes of the joint convention were read and approved.

On motion of Senator Winne the joint convention dissolved.

The Senate returned from the joint convention and resumed regular session.

Senator Ericson presented the following invitation from the commerical club of Ames and moved that it be accepted:

The Commercial Club of Ames extends to the members of the Thirty-first General Assembly and their wives, an invitation to visit the State College of Agriculture and Mechanic Arts, located there. on the afternoon of Thursday February 15, 1906.

A roll call was demanded.

The yeas were:

Bleakly, Brooks, Crawford, Crossley, Dowell, Ericson, Hopkins, Hasselquist, Kimmel, Molsberry, Stuckslager, Taylor, Young of Calhoun—13.

The nays were:

Elerick, Gale, Garst, Harper, Hartshorn, Hughes, Jackson, Jones, Lambert, Lewis, Maytag, Smith of Mitchell, Stirton, Turner, Wade, Warren, Wilson of Fayette, Young of Lee, Young of Washington—19.

Absent or not voting:

Bruce, Courtright, Dunham, Eckles, Gillilland, Hayward, Hogue, Jamison, Kinne, Lyons, Newberry, Saunders, Smith of Des Moines, Spaulding, Stookey, Whipple, Wilson of Clinton, Winne—18.

So the the invitation was not accepted.

Senator Turner moved that 300 extra copies of Senate file No. 118 be ordered printed.

Carried.

Senator Molsberry asked unanimous consent that Senate file No. 64 be re-committed to the committee and retain its place on the calendar.

Consent granted.

Senator Young of Calhoun moved that the Senate do now adjourn.

Carried.

Senate adjourned

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, February 10, 1906.

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. Arthur S. Henderson of Atlantic, Iowa.

On request of Senator Young of Calhoun leave of absence was granted Senator Jones until Monday.

On request of Senator Bleakly leave of absence was granted Senator Jackson until Monday.

On request of Senator Newberry leave of absence was granted Senator Wilson of Fayette until Monday.

On request of Senator Newberry leave of absence was granted Senator Dunham until Monday.

On request of Senator Newberry leave of absence was granted Senator Smith of Mitchell until Monday.

On request of Senator Eckles leave of absence was granted Senator Kimmel until Monday.

On request of Senator Stookey leave of absence was granted Senator Jamison until Monday.

On request of Senator Maytag leave of absence was granted Senator Garst until Monday.

On request of the President leave of absence was granted Senator Lambert until Monday.

On request of Senator Stuckslager leave of absence was granted Senator Gale until Tuesday.

PETITIONS AND MEMORIALS.

Senator Young of Washington presented petition of one hundred and ten members of the Iowa National Guard and citizens, n support of the proposed Military bill.

Referred to committee on Military.

Senator Kinne presented petition of one hundred and twenty-seven citizens of Estherville and constituents in support of the state Marshal law.

Referred to committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Hayward, Senate file No. 176, a bill for an act to authorize the establishment of state employment offices under supervision of the Bureau of Labor Statistics.

Read first and second time and referred to committee on Labor.

By Senator Hughes, Senate file No. 177, a bill for an act making appropriations for the State University of Iowa.

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

By Senator Stookey, Senate file No. 178, a bill for an act to amend sections eighteen (18) and nineteen (19) of the code in relation to county auditor's reports to the state auditor of codes, supplement to the code and session laws furnished by the secretary of state to county auditors.

Read first and second time and referred to committee on Judiciary.

Senator Elerick offered the following concurrent resolution and moved its adoption:

CONCURRENT RESOLUTION.

WHEREAS, Hon. George Schramm, in the year 1852, was an honored member of the State Senate from Van Buren county, which met at Iowa City, and whose labors were potential in locating the Capitol of the State at Des Moines, Iowa, and

WHEREAS, The said George Schramm is now a resident of Des Moines, and will on the twelfth day of February, 1906, celebrate his ninetieth birthday, and

WHEREAS, The said George Schramm is now enjoying a large measure of health and has preserved unchanged his mental powers to the present time,

Therefore be it resolved by the Senate, the House concurring, That we pause in our deliberations to pay honor to this pioneer statesman in his declining years and congratulate him that he has been blessed with a long and useful life and that the memory of his valued services is cherished by the people of Iowa, and we hereby express our hope that many years more may be added unto him and that upon his anniversary he may be reminded that he carries with him the good will and confidence of the people.

Resolved further, That a copy of these resolutions be spread upon the Journals of the Senate and House respectively and that an engrossed copy of the same be presented to the said George Schramm.

Adopted.

REPORTS OF COMMITTEES.

Senator Hayward, 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. 122, a bill for an act to amend section one thousand four hundred sixty-seven (1467) of the code relative to assessment and collection of 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 the same be amended as follows:

Amend the title by inserting after the word "seven" in the second line the figures 1467 in parenthesis.

Amend section one of the bill by striking out all of said section and inserting the following in lieu thereof to wit:

Section one that section one thousand four hundred sixty-seven (1467) of the code be amended by inserting a comma after the word "institutions" in the ninth line of said section and the following words to wit "including hospitals, public libraries and public art galleries kept open to the free use of the public not less than three days of each week" and when so amended the bill do pass.

W. C. HAYWARD,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Ways and Means to whom was referred Senate file No. 135, a bill for an act to amend section two thousand fifty-two (2052) of the code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend the title by striking out the period, at the end of same and adding the following thereto, "relating to recording fees in the office of secretary of state."

Amend section one of the bill by inserting after the words "two thousand fifty-two" in the first line thereof the figures 2052 in parenthesis.

Also strike out the word and figures "of 1897" in the second line of section one of the bill.

Also add the letter "s" to the word "declaration" in the fifth line of section one of the bill and when so amended the bill do pass.

W. C. HAYWARD,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Ways and Means to whom was referred House file No. 112, a bill for an act to amend section one thousand fifteen (1015) of the code, relating to lien of taxes in cities under special charter, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the committee on Judiciary.

W. C. HAYWARD,
Chairman.

Adopted.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate file No. 169, a bill for an act appropriating the sum of five thousand dollars ($5,000) to be paid to Lena Ness guardian to Andrew T. Ness for the use and benefit of Andrew T. Ness in settlement of all claims against the State of Iowa by reason of the injury to Andrew T. Ness and damages resulting therefrom in the loss of a leg and for the pain and suffering resulting from said injury, said injury occurring while the said Andrew T. Ness was detained in the State Hospital for the Insane at Independence, Iowa, beg leave to report that they have returned the same back to the Senate as directed for the purpose of referring it to the committee on Claims. The bill was so referred.

WARREN GARST,
Chairman.

Senator Saunders moved that when the Senate adjourned it be until 2 P. M. Monday.

Carried.

Senator Lewis asked unanimous consent to take up Senate file No. 40, a bill for an act to amend section eighteen hundred sixty-nine (1869) of the code and providing a penalty for the crime of embezzlement stated therein.

Senator Lewis moved that the Senate concur in the following House amendment:

Amend section two by striking out the word "Iowa" in third line and insert the words "Des Moines daily."

On the question, Shall the Senate concur in the House amendment?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Crossley, Dowell, Eckles, Elerick, Ericson, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Kinne, Lewis, Maytag, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Warren, Whipple, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—33.

The nays were:

None.

Absent or not voting:

Bruce, Dunham, Gale, Garst, Gillilland, Hogue, Jackson, Jamison, Jones, Kimmel, Lambert, Lyons, Molsberry, Smith of Mitchell, Turner, Wade, Wilson of Fayette—17.

So the amendment was concurred in.

The Senate resumed consideration of Senate file No. 30.

On the question shall the motion of Senator Dowell to reconsider the vote by which the amendment of Senator Young of Calhoun to section twenty-one inserting after the word "cruelty" in the 4th line the words "violation of contract" was adopted yesterday, a roll call was demanded.

The yeas were:

Bleakly, Crossley, Dowell, Eckles, Ericson, Gillilland, Hartshorn, Hasselquist, Hayward, Hopkins, Lewis, Newberry, Saunders, Spaulding, Stookey, Stuckslager, Taylor, Turner, Warren, Whipple, Winne, Young of Washington—22.

The nays were:

Brooks, Courtright, Crawford, Harper, Hughes, Kinne, Lyons, Smith of Des Moines, Stirton, Wilson of Clinton, Young of Lee, Young of Calhoun—12.

Absent or not voting:

Bruce, Dunham, Elerick, Gale, Garst, Hogue, Jackson, Jamison, Jones, Kimmel, Lambert, Maytag, Molsberry, Smith of Mitchell, Wade, Wilson of Fayette—16.

So the motion to reconsider prevailed.

On request of Senator Whipple leave of absence was granted Senator Stuckslager for the rest of the day.

On request of Senator Hughes leave of absence was granted Senator Hayward until Tuesday.

On request of Senator Elerick leave of absence was granted Senator Hogue until Monday.

Senator Newberry was called to the chair at 10:40 A. M.

On the question, Shall the amendment offered by Senator Young of Calhoun prevail?

Senator Courtright moved that the amendment offered by Senator Young of Calhoun be laid on the table.

The motion was lost.

Senator Wilson of Clinton moved the previous question on the amendment.

Carried.

On the question, Shall the amendment offered by Senator Young of Calhoun prevail?

A roll call was demanded.

The yeas were:

Bleakly, Brooks, Bruce, Elerick, Harper, Hopkins, Kinne Lyons, Smith of Des Moines, Stirton, Wilson of Clinton, Young of Lee, Young of Calhoun—13.

The nays were:

Courtright, Crawford, Crossley, Dowell, Eckles, Ericson, Gillilland, Hartshorn, Hasselquist, Hughes, Lewis, Newberry, Spaulding, Stookey, Taylor, Turner, Warren, Whipple, Winne, Young of Washington—20.

Absent or not voting:

Dunham, Gale, Garst, Hayward, Hogue, Jackson, Jamison, Jones, Kimmel, Lambert, Maytag, Molsberry, Saunders, Smith, of Mitchell, Stuckslager, Wade, Wilson of Fayette—17.

So the amendment was lost.

Senator Lewis offered the following amendment and moved its adoption:

Amend section fourteen, line six of the printed bill by inserting between the words "necessary" and "expenses" the word "traveling."

Adopted.

Senator Warren offered the following amendment and moved its adoption.

Amend Senate file 30 as follows: Insert after the words "elementary civics" in the third line of section five, the words "elementary economics."

Adopted.

Senator Turner offered the following amendment and moved its adoption:

I move to amend section twenty by striking out in the fourth line thereof the words "superintendent of public instruction" and insert in lieu thereof the words "County Superintendent".

Adopted.

Senator Warren moved that the bill be now engrossed.

Carried.

Senator Warren moved that the secretary be instructed to have printed 200 copies of Senate file No. 30, as engrossed.

Carried.

Senator Warren moved that further consideration of the bill be made a special order to follow the special order set for Thursday of next week.

Carried.

The Journal of Thursday, February 8th, was taken up, corrected and approved.

Senator Hughes moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, February 12, 1906.

Senate met pursuant to adjournment at 2 o'clock P. M., President Herriott presiding.

Prayer was offered by the Rev. J. H. Creger of East Peru, Iowa.

On request of Senator Harper, leave of absence was granted Senator Kinne until Tuesday.

On request of Senator Stookey leave of absence was granted Senator Jamison until Tuesday.

On request of Senator Maytag leave of absence was granted Senator Garst until Tuesday.

On request of Senator Kimmel leave of absence was granted Senator Wade until Tuesday.

On request of Senator Newberry leave of absence was granted Senator Smith of Mitchell until Tuesday.

On request of the President leave of absence was granted Senator Courtright until Tuesday.

PETITIONS AND MEMORIALS.

Senator Spaulding presented petition of one hundred fifty-seven citizens of Chickasaw county in support of the "binding twine" bill.

Referred to committee on Manufactures.

Senator Spaulding presented memorial for the protection of the American buffalo, and the setting aside by the national government of a suitable locality for their detention.

Referred to committee on Federal Relations.

Senator Harper presented petition of the Shakespeare Club of Spencer, Iowa, in support of the Pure Food bill known as House file No. 6.

Referred to committee on Public Health.

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 concurred in Senate amendments to House file No. 15, in which the concurrence of the House was asked:

A bill for an act to provide for improving the public highways by the use of the road drag.

C. R. BENEDICT,
Chief Clerk.

Also.

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 117 in which the concurrence of the House was asked:

A House file No. 117, a bill for an act to amend section thirty hundred sixty-a-one hundred thirty-two (3060-a-132) of the supplement to the code, relating to negotiable instruments.

C. R. BENEDICT,
Chief Clerk.

Also,

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 House was asked:

Relative to the appointment of committees to prepare and report appropriate resolutions respecting the life and public services of Edward J. Gault and names on the part of the House, McCreary of Appanoose, Summers of Van Buren, McCulloch of Wayne.

C. R. BENEDICT,
Chief Clerk.

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:

HOUSE CONCURRENT RESOLUTION.

Be it resolved by the House of Representatives of the Thirty-first General Assembly, the Senate concurring: That no bills or resolutions introduced after the 20th day of February, 1906, except those relating to appropriations, shall be received, considered, or acted upon by the Thirty-first General Assembly.

C. R. BENEDICT,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Ericson, Senate file No. 179, a bill for an act making appropriations to the Iowa State College of Agriculture and Mechanic Arts.

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

By Senator Smith of Des Moines, Senate file No. 180, a bill for an act making an appropriation for the erection of a monument at the Aspen Grove Cemetery, Burlington, Iowa, to perpetuate the memory of John Morgan and providing the method of such erection.

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

By Senator Turner, Senate file No. 181, a bill for an act for the appointment of State agents for the Industrial school and the Soldiers' Orphans' Home, defining their duties and making an appropriation for their salaries, and expenses and to repeal chapter one hundred fifty-seven (157) of the acts of the Thirtieth General Assembly and other acts, in conflict with this act.

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

By Senator Turner, Senate file No. 182, a bill for an act providing for the placing by adoption and contract and for the care and protection of children of the Iowa Soldiers' Orphans' Home and to repeal section twenty-six hundred ninety (2690) of the code and other acts and parts of acts in conflict with this act.

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

By Senator Turner, Senate file No. 183, a bill for an act to repeal section twenty-seven hundred four (2704) of the supplement to the code and to enact a substitute therefor relating to the placing under contract of boys and girls committed to the Industrial School.

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

By Senator Bleakly, Senate file No. 184, a bill for an act to legalize the acts of the town of Ida Grove, Iowa, and its council and officers, relating to the erection of a public building and fire station in the incorporated town of Ida Grove, Iowa, and the subsequent acts of the officers of said town in relation thereto.

Read first and second time and referred to committee on Judiciary.

Senator Dowell was called to the chair at 2 o'clock P. M.

HOUSE MESSAGES CONSIDERED.

Senate concurrent resolution relative to the appointment of committees to prepare and report appropriate resolutions respecting the life and public services of Edward J. Gault and names on part of the House, McCreary of Appanoose, Summers of Van Buren, McCulloch of Wayne.

Ordered passed on file.

House concurred in Senate amendments to House file No. 15, a bill for an act to provide for improving the public highways by the use of the road drag.

Ordered passed on file.

House concurred in Senate amendments to House file No. 117, a bill for an act to amend section three thousand sixty-a-one hundred thirty-two (3060-a-132) of the supplement to the code, relating to negotiable instruments.

Ordered passed on file.

House concurrent resolution relative to fixing a date for the discontinuance of introduction of bills.

Referred to the committee on Rules.

President Herriott resumed the chair at 2:15 P. M.

The following communication was presented by Senator Dowell:

DES MOINES, IOWA, February 12, 1906.

To the Senate of the Thirty-first General Assembly:

I herewith tender my resignation as journal clerk of the Senate, and I ask that said resignation be accepted immediately.

JOHN CONNOLLY.

Senator Dowell moved that the resignation offered by Mr. John Connolly be accepted.

Carried.

Senator Dowell nominated Mr. J. S. Irish to fill the position of journal clerk caused by the resignation of Mr. John Connolly.

Those voting for Mr. J. S. Irish for journal clerk were.

Bleakly, Brooks, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gillilland, Harper, Hartshorn, Hasselquist, Hogue, Hopkins, Hughes, Jackson, Jones, Kimmel, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington —40.

The nays were:

None.

Absent or not voting:

Bruce, Courtright, Gale, Garst, Hayward, Jamison, Kinne, Lambert, Smith of Mitchell, Wade—10.

So Mr. J. S. Irish was declared elected journal clerk.

REPORTS OF COMMITTEES.

Senator Young of Calhoun, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health to whom was referred House file No. 49, a bill for an act to amend section twenty-five hundred seventy-six (2576) of the code, so as to change the dates of the meetings of the State Board of Medical Examiners, beg leave to report that 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.

YOUNG of Calhoun,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Public Health to whom was referred House file No. 59, a bill for an act to amend section twenty-five hundred sixty-seven (2567) of the code so as to include the reporting of divorces and to change the time of reporting marriages and divorces to the State Board of Health, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

YOUNG of Calhoun,
Chairman.

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turner, from the joint committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your joint committee on enrolled bills respectfully report that they have examined, and find correctly enrolled, House file No. 87, a bill for an act authorizing and empowering the Governor, or his successors in office, to execute, acknowledge and deliver instruments of conveyance to the present owners, or their grantees, of the northeast quarter of section seventeen (17), township ninety-two (92) north, range forty-five (45) west of the 5th principal meridian, Plymouth county, Iowa, for the purpose of correcting the titles thereto.

Also.

House file No. 102, a bill for an act legalizing the incorporation of the Postville Cemetery Association and the acts and proceedings thereof, particularly with reference to the title to real estate acquired by the said cemetery association in the transaction of its business.

Also.

House file No. 15, a bill for an act to provide for improving the public highways by the use of the road drag.

Also.

House file No. 72, a bill for an act to legalize the incorporation of the town of Dow City, Crawford county, Iowa, the election of its officers, the acts done and ordinances and resolutions passed by the council of said town, and to define the limits thereof.

Also:

House file No. 96, a bill for an act making an appropriation to defray the expenses of the reception tendered the Governor by the Thirty-first General Assembly.

Also:

House file No. 117, a bill for an act to amend the law as it appears in section thirty hundred sixty-a one hundred thirty-two (3060-a-132) of the supplement to the code, relating to negotiable instruments.

D. W. TURNER,
Chairman Senate Committee.
H. L. SPAULDING,
Chairman House Committee.

Ordered passed on file.

Senator Saunders, from the joint committee appointed to visit the Orphans' Home at Davenport, Iowa, submitted the following report and asked that it be printed in the Journal.

Consent granted.

To the General Assembly of the State of Iowa:

Your committee of visitation, appointed to visit the Orphans' Home at Davenport, Iowa, beg leave to submit herewith the following report:

We proceeded to Davenport on the twelfth day of January and spent the afternoon and evening in an inspection of the Home and its surroundings.

We were pleased with the able and efficient management exhibited by Superintendent Sessions and his subordinates, and have only good words to say of the conditions that surround the wards of the State at that point. The children were well-housed, well-clothed and well-fed, and we believe that the State has cause to congratulate itself upon this splendid charity.

Most of the buildings are old, and the expense necessary to their care and preservation is necessarily large. Were it not the purpose of this General Assembly to make appropriations for only on year, instead of for a biennial period, we should not hesitate to recommend the allowance of the several items requested by the Board of Control.

Your committee recommend that the full amount requested for portico roof repairs be allowed, as the roofs are old and practically worthless.

In the engine-room, we found one lighting unit that is first-class and pratically new. This is used in the night-time, when the load upon the machine is heavy. During the day and twilight, an old engine and dynamo are used, and your committee is of the opinion that this should be replaced at as early a date as reasonably possible, with a new unit. However, we believe that the appropriations for this new machine can be deferred for one year, and hence we do not recommend an appropriation for the same. At this session of the General Assembly, the Board of Control has recommended an item of three hundred ($300.00) for rear portico floors. An immediate necessity for the relaying of these floors exists, but your committee is of the opinion that it is not advisable to re-construct them with lumber, owing to the fact that the supply of white pine lumber is about exhausted and the flooring now in the market is of a character that soon decays and becomes useless. We think that these floors should be reconstructed with cement, and for that reason we recommend that the allowance requested by the Board of Control be increased from three hundred ($300.00) dollars to five hundred ($500.00) dollars.

A bake oven has been recommended. We find, however, that the one now in use, by the expenditure of a small sum, can be made available and satisfactory for some time to come, and therefore your committee recommends that the same be not allowed. The sum of seven hundred ($700.00) dollars has been requested for the laying of a tile floor and repairing of the hallways and staircase of the main building. The floor at the present time is covered with linoleum, and, while the same is somewhat worn, we think it can be used with advantage to the state for another year, and therefore we recommend that this item be deferred for the present.

Your committee recommend that the following appropriations be made for this institutions:

For finishing college for girls	$ 1200.00
For painting	1000.00
For portice roof repairs	1000.00
For flooring engine room	300.00
For new porches	$ 700.00
For rear porch cement floors	500.00
For permanent walks	200.00
For fencing	200.00
For a hog-house	1200.00

For storm-entrance to dining-rooms	300.00
For changing old kitchen	300.00
For books and periodicals	250.00
For a contingent and repair fund	2500.00

Your committee found that a new kitchen has been constructed, and we believe that the same is ably calculated to serve the purposes for which it is designed. We think, however, that the new floor of the kitchen deserves somewhat of criticism, by reason of the fact that it is uneven and not well constructed.

A few years since, the S ate contracted for the construction of a septic tank, into which the sewage of the institution has been discharded. This tank has not operated satisfactorily, and, during the past summer, was a constant source of annoyance to the inmates of the institution through the unpleasant odors that arose from it. During the fall, the tank was cleaned and filled with stone. It is the hope and expectation of the Board of Control that the tank will now operate successfully and that there will be no futher annoyance from this source. The city of Davenport, during the past year, has constructed a three-foot sewer, which runs adjacent to the institution grounds, and it is the desire of the city of Davenport that the State shall connect therewith. If such connection shall be made, it will be necessary for the State to purchase a right from the city of Davenport to use this sewer and also to construct about a thousand (1000) feet of sewer from upon its own grounds, in order to make the necessary connection. If connection shall be made with this sewer, it will finally dispose of the sewage problem at this institution and your committee is of the opinion that if a favorable arrangement could be made, that it would be advisable to make an appropriation, to be used in purchasing the right from the city and in constructing a connection with the city sewer. In view, however, of the present situation, we think it advisable that a sub-committee of two be appointed, one from the House and one from the Senate, with instructions to visit Davenport and to make a tentative arrangement with the city concerning this matter, subject, of course, to the approval of the General Assembly. The septive tank is very close to the institution, and, if it shall not be removed, in the opinion of your committee, will always be a source of danger and annoyance to the inmates of the institution, provided it does not work satisfactorily.

When the State changed the channel of Duck Creek, the city of Davenport attempted to fill the channel where the public highway crosses the same, and in so doing it threatened to overflow a portion of the State's premises. If such overflow shall take place, it will establish a nuisance and produce a marshy spot that will be a constant source of annoyance and danger to the state's employees and wards at this point. The placing of one or more tiles through the partially constructed embankment will relieve any danger from this source and at the same time will enable the city of Davenport to complete the filling of the old channel and to remove this iron bridge across the same. We recommend that if the sub-committee shall be appointed, that it shall also be charged with the duty of also including in

the settlement of the sewage matter and adjustment of this problem also, to the end that there may be no further friction between the authorities of the city and the State.

Respectfully submitted,

G. P. CHRISTIANSON,
WM. WELDEN,
A. F. FRUDDEN,
C. G. SAUNDERS,
L. L. TAYLOR.

Ordered passed on file.

THIRD READING OF BILLS.

Senate file No. 138, a bill for an act to amend the law as it appears in section fifteen hundred thirty-three (1533) of the supplement to the code, was taken up and considered.

Senator Hasselquist moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Crossley, Dunham, Eckles, Elerick, Ericson, Gillilland, Harper, Hartshorn, Hasselquist, Hopkins, Hughes, Jackson, Jones, Kimmel, Lewis, Lyons, Maytag, Newberry, Smith of Des Moines, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—35.

The nays were:

Dowell, Hogue, Molsberry, Saunders—4.

Absent or not voting:

Bruce, Courtright, Crawford, Gale, Garst, Hayward, Jamison, Kinne, Lambert, Smith of Mitchell, Wade—11.

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

By unanimous consent, on motion of Senator Saunders, Senate file No. 145, a bill for an act to provide for the comfort of petit juries with report of committee recommending amendments and passage was taken up, considered, and the report of the committee, adopted.

Senator Saunders moved the adoption of the following committee amendments:

Amend the title by striking out the word "Juries" and inserting in lieu thereof the word "Jurors".

Amend section one (1) by striking out of the second line thereof the words "in the several counties of the state," and inserting in lieu thereof the words "upon order of the District Court."

Adopted.

Senator Crossley was called to the chair at 2:45 P. M.

Senator Bleakly offered the following amendment and moved its adoption:

Amend line two (2) of the printed bill by striking out the word "Juries" and insert in lieu thereof the word "jurors."

Adopted.

Senator Saunders moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gillilland, Harper, Hartshorn, Hasselquist, Hopkins, Hughes, Jackson, Jones, Kimmel, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Bruce, Courtright, Gale, Garst, Hayward, Hogue, Jamison, Kinne, Lambert, Smith of Mitchell, Wade—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended agreed to.

Senate file No. 155, a bill for an act to legalize the incorporation of the town of Meservey, Cerro Gordo county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town with report of committee recom-

mending amendments and passage was taken up, considered, and the report of the committee, adopted.

Senator Molsberry moved the adoption of the following committee amendments:

That section 1 be amended by striking out the following words at the beginning of said section "Incorporation, election, acts and ordinances legalized-pending litigation."

That section 2 be amended by striking out at the beginning of said section the words "in effect."

Adopted.

Senator Molsberry moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gillilland, Harper, Hartshorn, Hasselquist, Hopkins, Hughes, Jackson, Jones, Kimmel, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Bruce, Courtright, Gale, Garst, Hayward, Hogue, Jamison, Kinne, Lambert, Maytag, Smith of Mitchell, Turner, Wade—13.

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

President Herriott resumed the chair at 3 o'clock P. M.

Senator Young of Lee offered the following resolution and moved its adoption:

CONCURRENT RESOLUTION.

WHEREAS, Hon. William G. Kent, was an honored member of this Senate from the First Senatorial district of Iowa, in this body during the Twenty-second, Twenty-third and Twenty-fourth sessions of the General Assemblies, and serving as member of the House of Representatives of the Twenty-first Assembly; and

WHEREAS, Hon. William G. Kent departed this life at his home in Fort Madison, Iowa, on the 20th day of February, A. D. 1905; therefore be it

Resolved by the Senate, the House of Representatives concurring, That a committee of three be appointed by the President of the Senate to co-operate with a similar committee to be appointed by the Speaker of the House to prepare and report appropriate resolutions respecting the life, character and public services of the late William G. Kent.

Adopted.

House file No. 115, a bill for an act to amend section number twenty-nine hundred forty-one (2941) of the code relative to the recording of instruments affecting lots in cities or towns or villages, in separate books, by adding thereto as follows: with report of committee recommending amendments and passage was taken up, considered, and the report of the committee, adopted.

Senator Jones moved the adoption of the following committee amendment:

That the title be amended by striking out all after the word "books" in the third line thereof.

Adopted.

Senator Jones moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Crawford, Crossley, Dowell, Dunham Eckles, Elerick, Ericson, Gillilland, Harper, Hartshorn, Hasselquist, Hopkins, Hughes, Jackson, Jones, Kimmel, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—38.

The nays were:

None.

Absent or not voting:

Bruce, Courtright, Gale, Garst, Hayward, Hogue, Jamison, Kinne, Lambert, Smith of Mitchell, Wade, Winne—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended agreed to.

House file No. 66, a bill for an act providing purnishment for the injury or destruction of sidewalks, with report of committee recommending passage was taken up, considered, and the report of the committee, adopted.

Senator Brooks offered the following amendment and moved its adoption:

Amend by striking out in line three (3) the words and figures three hundred dollars ($300) and insert in lieu thereof the words one hundred dollars ($100) and in last line thereof strike out the words "one year" and insert in lieu thereof the words "thirty (30) days."

Adopted.

Senator Spaulding moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Crawford, Dowell, Dunham, Eckles, Elerick, Ericson, Gillilland, Harper, Hartshorn, Hasselquist, Hopkins, Hughes, Jackson, Jones, Kimmel, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Bruce, Courtright, Crossley, Gale, Garst, Hayward, Hogue Jamison, Kinne, Lambert, Smith of Mitchell, Wade, Winne—13.

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

The President announced that he had signed in the presence of the Senate, House files Nos. 87, 102, 15, 72, 96 and 117.

The President announced as a committee to prepare appropriate resolutions in memory of the late Wm. G. Kent, ex-member of the Senate from the First Senatorial District, Senators Young of Lee, Hasselquist and Taylor.

The Journal of February 9th was taken up, corrected approved.

The Journal of February 10th was taken up, corrected and approved.

Senator Young of Washington filed the following motion:

I move to reconsider the motion offered by Senator Ericson, February 9th, extending to the Senate an invitation to visit the State College of Agriculture and Mechanic Arts.

JOHN A. YOUNG.

Laid over.

Senator Young of Calhoun moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, February 13, 1906.

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. L. O. Wigdahl, of Ruthven, Iowa.

Mr. J. S. Irish appeared before the bar of the Senate and was duly sworn as journal clerk.

On request of Senator Newberry leave of absence was granted Senator Courtright for the day,

Senator Molsberry presented petition of twenty-one voters and twenty-one non-voters, citizens of Iowa, favoring the measure known as the State Marshal bill.

Referred to committee on Suppression of Intemperance.

Senator Kimmel presented petition of twenty-one names, composed of members of the Iowa National Guard of Rock Rapids, and citizens of Iowa, in support of the Military bill and favoring the increase of appropriation to one hundred thousand dollars.

Referred to committee on Military.

Senator Kimmel presented petition of citizens of Alton, Sioux county, in support of a State Marshal law.

Referred to committee on Suppression of Intemperance.

Senator Gale presented petition of citizens of the State of Iowa in support of the State Marshal bill.

Referred to committee on Suppression of Intemperance.

Senator Gale presented petition of members of the Iowa National Guard and citizens of Iowa in support of the Military bill and in favor of the increase of appropriation to one hundred thousand dollars.

Referred to committee on Military.

Senator Hughes presented petition of members of the Iowa National Guard and citizens of the State in support of the Military bill and favoring the increase of appropriation to one hundred thousand dollars.

Referred to committee on Military.

Senator Brooks presented petition of members of Iowa National Guard and citizens of Iowa in support of the Military bill and in favor of the appropriation of one hundred thousand dollars.

Referred to committee on Military.

Senator Taylor presented petition of Davis County Medical Society in favor of the bill providing for the registration of trained or graduate nurses, and in opposition to the proposed law granting member of State Board of Health to Osteopathy.

Referred to committee on Public Health.

INTRODUCTION OF BILLS.

By Senator Young of Washington, Senate file No. 185, a bill for an act to prohibit unfair discrimination between different sections, communities or localities, unfair competition, and providing penalties therefor.

Read first and second time and referred to committee on Judiciary.

By Senator Jackson, Senate file No. 186, a bill for an act to repeal section four hundred sixteen (416) of the code of Iowa relating to supervisors' districts and to enact a substitute therefor providing for the election of supervisors for the county at large.

Read first and second time and referred to committee on Judiciary.

By Senator Gillilland, Senate file No. 187, a bill for an act to amend division twenty (20) section four hundred twenty-two (422) of the code relating to powers of the board of supervisors.

Read first and second time and referred to committee on Agriculture.

By Senator Winne, Senate file No. 188, a bill for an act to repeal section fifteen hundred thirty (1530) of the code, relative to the levy of taxes for roads and highways.

Read first and second time and referred to committee on Agriculture.

The following communication was received and read:

The Woman's Press Club, of Des Moines, entertains at a musical recital given by Dean Howard and his assistants at Drake University at 8:30 o'clock Tuesday evening, February 13th, and cordially invites the members of the Senate and their wives to be the guests of the club on this occasion,

Cordially yours,

BELLE VINNEDGE DRAKE,
President.

President pro tem Smith was called to the chair at 10:10 A. M.

REPORT OF COMMITTEE.

Senator Wilson, of Fayette, from the committee on Pharmacy, submitted the following report:

MR. PRESIDENT—Your committee on Pharmacy to whom was referred substitute for Senate file No. 64, a bill for an act to repeal the law as it appears in section twenty-five hundred eighty-nine (2589) of the supplement to the code and section twenty-five hundred ninety (2590) of the code and to enact a substitute therefor, relative to the examination of pharmacists and their assistants, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the attached bill be enacted and substituted therefor and that same do pass.

A. C. WILSON,
Chairman.

Adopted.

SUBSTITUTE FOR SUBSTITUTE FOR SENATE FILE NO. 64.

A BILL for an act to repeal the law as it appears in section twenty-five hundred eighty-nine (2589) of the supplement to the code, and section twenty-five hundred ninety (2590) of the code, and to enact a substitute therefor relative to the examination of pharmacists and their assistants.

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

Section 1. The law as it appears in section twenty-five hundred eighty nine (2589) of the supplement to the code, and section twenty-five hundred ninety (2590) of the code, is hereby repealed and the following enacted in lieu thereof:

Sec. 2. The commission at such times and places as it may select and in such manner as it may determine, shall conduct an examination for all persons desiring to engage in and conduct business as registered pharmacists within the meaning of section twenty-five hundred eighty-eight (2588) of the code.

Sec. 3. No person shall be eligible to take this examination until he has passed his twenty-first birthday and has presented to the commission his own affidavit and that of his employer or employers, affirming that he has had not less than four years' practical experience (including the actual number of weeks he has spent in a reputable college of pharmacy as hereinafter defined) as clerk under the supervison of a registered pharmacist in a drug store of pharmacy in which physicians' prescriptions are compounded. Provided, however, that graduates of reputable pharmaceutical schools and colleges whose entrance and graduation requirements are equivalent to those now required by the American Conference of Pharmaceutical Faculties, and whose course of study consists of two years of not less than thirty-six (36) weeks each, shall be eligible to take the examination without proof of experience as hereinbefore defined. Applicants who are graduates of a junior course consisting of not less than thirty-six (36) weeks in pharmaceutical schools and colleges whose course consists of or is equivalent to the requirements above specified, shall be allowed one year's credit on store experience. If such applicant passes the required examination, he shall be granted a certificate of registration. Pharmacists thus registered shall have the sole right to keep and sell all medicines and poisons, except intoxicating liquors.

Sec. 4. If the applicant has passed his eighteenth birthday and has had at least two years' practical experience as hereinbefore defined (including actual number of weeks spent in a reputable college of pharmacy as defined herein) and has presented to the commission his own affidavit and that of his employer or employers, affirming that he has had such experience, he shall, upon passing a satisfactory examination, be granted an assistant's certificate to be exchanged for full registration when he shall have reached the age of twenty-one (21) years, and upon satisfactory proof that he has had, since the taking of the examination, two additional years of practical experience in a drug store as defined herein.

Sec. 5. Each person furnished a certificate under this act shall be charged a fee of five dollars ($5 00) which shall be in full for all services, and in case the examination of said person shall prove defective or unsatisfactory and his name be not registered, he shall be permitted to present himself for re-examination within any period not exceeding twelve (12) months next thereafter, and no charge shall be made for re-examination.

The said commissioners are authorized to administer oaths pertaining to their said office and take a certificate of acknowledgment of instruments in writing After registration, an annual fee of one dollar ($1.00) for renewal certificate shall be paid on, or before the 22nd day of March by all pharmacists and assistants who continue in business, and the conduct of such business without such renewal shall be a misdemeanor.

The substitute was read first and second time and passed on file.

THIRD READING OF BILLS.

House file No. 128, a bill for an act providing for the payment of preliminary expenses in connection with drainage districts, and making suitable provisions for same, with report of

committee recommending amendment and passage was taken up, considered, and the report of the committee adopted.

Senator Kinne moved the adoption of the following committee amendment:

That section 1 be amended by striking out the word "to" in the thirteenth line of the bill and inserting in lieu thereof the words "they shall," and when so amended the bill do pass.

Adopted.

Senator Kinne moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—47.

The nays were:

None.

Absent or not voting:

Courtright, Hogue, Taylor—3.

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

On request of Senator Saunders leave of absence was granted him for the rest of the day.

On request of Senator Elerick leave of absence was granted Senator Hogue for the day.

Substitute for Senate file No. 8, a bill for an act to prevent the adulteration, misbranding, and imitation of foods, to change the name of the office of "State Dairy Commissioner" to that of "State Food and Dairy Commissioner," and to define his duties; and repealing sections forty-nine hundred eighty-two (4982), forty-nine hundred eighty-four (4984), forty-nine hundred eighty-seven (4987), forty-nine hundred ninety-three (4993), forty-nine

hundred ninety-four (4994), forty-nine hundred ninety-five (4995), forty-nine hundred ninety-six (4996), forty-nine hundred ninety-seven (4997), forty-nine hundred ninety-eight (4998), of the code, and sections forty-nine hundred eighty-four-a (4984-a) and forty-nine hundred eighty-four-b (4984-b), as they appear in the supplement to the code; and amending section forty-nine hundred eighty-six (4986) of the code, with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

The Chair announced the Senate as in Committee of the Whole.

The Chair announced the Senate as in regular session.

The Chair announced to the Senate that the Committee of the Whole recommended as amendment to said bill the following:

Change the period at the end of the title to the substitute bill to a comma and add the following words: "and making an appropriation for the purpose of carrying out the provisions of the act."

Senator Garst moved the adoption of the amendment.

Adopted.

Senator Newberry moved the adoption of the substitute for the original bill.

Adopted.

Senator Newberry offered the following amendment and moved its adoption:

Amend the fourth line of section eight (8) of the substitute as printed in the Journal by striking out the first comma and the words "so as to thereby" and by inserting the word "or" in lieu.

Adopted.

Senator Harper offered the following amendment and moved its adoption:

Strike out the word "and" in the first line of section fourteen of the substitute as printed in the Senate Journal of February eighth and insert the word "or" in lieu thereof.

Senator Garst moved that further consideration of section fourteen (14) be deferred temporarily.

Lost.

On the question, Shall the amendment offered by Senator Harper prevail?

The amendment was adopted.

Senator Dowell offered the following amendment and moved its adoption:

I move to amend section five (5) by striking out all after [the word "provided" in the seventh line thereof.

On the question, Shall the amendment be adopted?

A roll call was demanded.

The yeas were:

Crawford, Dowell, Dunham, Ericson, Gillilland, Hartshorn, Hasselquist, Hogue, Jackson, Jones, Kinne, Lambert, Spaulding, Stookey, Taylor, Turner, Whipple, Young of Lee, Young of Calhoun—19.

The nays were:

Bleakly, Brooks, Bruce, Eckles, Elerick, Garst, Harper, Hayward, Hopkins, Hughes, Kimmel, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Washington—26.

Absent or not voting:

Courtright, Crossley, Gale, Jamison, Saunders—5.

So the amendment was lost.

The bill was read for information.

Senator Lewis was called to the chair at 11:30 A. M.

Senator Gillilland offered the following amendment and moved its adoption:

Add to section five (5) after the word cases and before the period the following: "but in no case except where the county attorney has first refused to act."

A roll call was demanded.

On the question, Shall the amendment be adopted?

The yeas were:

Bruce, Crawford, Dowell, Dunham, Eckles, Elerick, Ericson, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Maytag, Molsberry, Smith of Des Moines, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—38.

The nays were:

Bleakly, Brooks, Garst, Hopkins, Lyons, Newberry, Winne—7.

Absent or not voting:

Courtright, Crossley, Gale, Saunders, Smith of Mitchell—5.

So the amendment was adopted.

President pro tem Smith resumed the chair at 11:55 A. M.

Senator Lewis moved that the time of adjournment be extended until the bill under consideration be disposed of and the Journal corrected.

Carried.

Senator Stookey offerred the following amendment and moved ts adoption:

I move to strike out of section five (5) as printed in the Journal of February 8th all of section five (5) as amended after the word "provided" at the end of line seven (7) of said section.

Senator Molsberry moved the previous question on the amendment and the bill.

Carried.

On the question, Shall the amendment offered by Senator Stookey be adopted?

The amendment was lost.

Senator Crawford's amendment:

To strike out from section six (6) all of said section beginning with the word "provided" in the twelfth line thereof as printed in the Journal.

A roll call was demanded.

The yeas were:

Crawford, Young of Calhoun—2.

The nays were:

Bleakly, Bruce, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn. Hasselquist, Hayward, Hopkins, Hughes, Jackson, Kimmel, Kinne, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee—38.

Absent or not voting:

Brooks, Courtright, Gale, Hogue, Jamison, Jones, Lambert, Saunders, Spaulding, Young of Washington—10.

So the amendment was lost.

Senator Newberry moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Crawford, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington —46.

The nays were:

None.

Absent or not voting:

Courtright, Crossley, Hogue, Saunders—4.

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

The Journal of yesterday was taken up, corrected and approved.

Senator Young of Washington moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, February 14, 1906.

Senate met in regular session at 10 o'clock A. M., President pro tem Smith presiding.

Prayer was offered by the Rev. P. S. O'Connor of Oelwein, Iowa.

On request of Senator Stirton leave of absence was granted Senator Stuckslager for the day.

On request of Senator Newberry leave of absence was granted Senator Courtright indefinitely.

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 bill in which the concurrence of the Senate is asked:

House file No. 5, a bill for an act to amend sections seventeen hundred nine (1709) and seventeen hundred ten (1710) supplement to the code, relative to insurance other than life.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 103, a bill for an act relating to the manner of serving notice or process on corporations organized under the laws of Iowa but having no resident officers on whom service may be had.

C. R. BENEDICT,
Chief Clerk.

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 House was asked;

Senate file No. 81, a bill for an act to amend the law as it appears in section twenty-six hundred eighty-five (2685) of the supplement to the code, relating to admission to the Iowa Soldiers' Orphans' Home.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 194, a bill for an act to legalize the incorporation of the town of Ionia, Chickasaw county, Iowa, the election of its officers, the passage of its ordinances and resolutions and all acts done by the council of said town.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 66, in which the concurrence of the House was asked:

House file No. 66, a bill for an act providing punishment for the injuring or destruction of sidewalks additional to chapter four (4), title twenty-four (24) of the code.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 128, in which the concurrence of the House was asked:

House file No. 128, a bill for an act providing for payment of preliminary expenses in connection with drainage districts and making suitable provisions for same.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 115 in which the concurrence of the House was asked:

House file No. 115, a bill for an act to amend section Number twenty-nine hundred forty-one (2941) of the code relative to recording instruments affecting lots in cities and towns or villages in separate books.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following concurrent ressolution in which the concurrence of the House was asked;

Concurrent resolution relative to Hon. George Schramm.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following concurrent resolution in which the concurrence of the House was asked;

Concurrent resolution relative to Hon. William G. Kent and names on part of House, Kennedy of Lee, Summers of Van Buren, Ritter of Des Moines.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 90, a bill for an act making an appropriation for the Dubuque Rescue Home at Dubuque, Iowa.

C. R. BENEDICT,
Chief Clerk.

PETITIONS AND MEMORIALS.

Senator Hayward presented petition of seventy-one physicians and surgeons of Scott county, Iowa, protesting against the proposed law giving a member of State Board of Health to the Osteopath profession.

Referred to committee on Public Health.

Senator Kimmel presented petition of seventy citizens of Iowa in favor of the measure known as the State Marshal bill.

Referred to committee on Suppression of Intemperance.

Senator Bruce presented petition of fifty five citizens of Cumberland, Cass county, Iowa, in favor of the Time Limit bill.

Referred to committee on Suppression of Intemperance.

Senator Wilson of Fayette presented petition of Local Union No. 778, Brotherhood of Painters, Decorators and Paperhangers of America located at Oelwein, Iowa, favoring the Child Labor law.

Referred to committee on Judiciary.

Senator Taylor presented petition of fifty-two constituents of Davis county in support of submission of woman suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

INTRODUCTION OF BILLS.

By Senator Whipple, Senate file No. 189, a bill for an act to create a Board of Regents for the State University, the College of Agriculture and Mechanics Arts and the Normal School and to prescribe its duties and to provide for the management and control of the State University, the College of Agriculture and Mechanics Arts and the Normal School, to make appropriations therefor and to define certain offenses and provide penalties therefor; and to repeal sections twenty-six hundred seventeen (2617), twenty-six hundred eighteen (2618), twenty-six hundred nineteen (2619), twenty-six hundred twenty (2620), twenty-six hundred thirty-five (2635), twenty-six hundred thirty-six (2636), twenty-six hundred forty-two (2642), twenty-six hundred forty-six (2646), twenty-six hundred forty-seven (2647), twenty-six hundred fifty (2650), twenty-six hundred fifty one (2651), twenty six hundred fifty-two (2652), twenty-six hundred fifty-three (2653), twenty-six hundred sixty-eight (2668), twenty-six hundred sixty-nine (2669), twenty-six hundred seventy (2670), twenty-six hundred eighty-one (2681), of the code, and the law as it appears in sections twenty-seven hundred twenty-seven-a fifty-three (2727-a-53), twenty-seven hundred twenty-seven-a fifty-four (2727-a-54), twenty-seven hundred twenty-seven-a fifty-five (2727-a-55), twenty-seven hundred twenty-seven-a fifty-six (2727-a-56) of the supplement of the code, and to repeal all acts and parts of acts inconsistent with this act.

Read first and seeond time and referred to committee on Appropriations.

By Senator Maytag, Senate file No. 190, a bill for an act to legalize the action of the Board of Supervisors and other officers of Jasper county, Iowa, as far as they relate to the establishment of a certain public highway in said county.

Read first and second time and referred to committee on Judiciary.

By Senator Jones, Senate file No. 191, a bill for an act to amend section fifteen hundred thirty-eight (1538) of the code relating to compensation of trustees and township clerks.

Read first and second time and referred to committee on Compensation of Public Officers.

By Senator Ericson, Senate file No. 192, a bill for an act to amend section twenty-six hundred forty-seven (2647) of the

code in relation to the powers of the Board of Trustees of the State College of Agriculture and Mechanic Arts.

Read first and second time and referred to committee on Agriculture.

By Senator Young of Lee, Senate file No. 193, a bill for an act making appropriation for the erection of a monument in Sharon cemetery, Lee county, Iowa, over the grave of Geo. Perkins, a soldier of the Revolutionary war.

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

HOUSE MESSAGES CONSIDERED.

House file No. 5, a bill for an act to amend sections seventeen hundred nine (1709) and seventeen hundred ten (1710) supplement to the code relative to insurance other than life.

Read first and second time and referred to committee on Insurance.

House file No. 103, a bill for an act relating to the manner of serving notice or process on corporations organized under the laws of Iowa but having no resident officers on whom service may be had.

Read first and second time and referred to committee on Judiciary.

Senate file No. 81, a bill for an act to amend the law as it appears in section twenty-six hundred eighty-five (2685) of the supplement to the code relating to admission to the Iowa Soldiers' Orphans' Home.

Ordered passed on file.

House file No. 194, a bill for an act to legalize the incorporation of the town of Ionia, Chickasaw county, Iowa, the election of its officers, the passage of the ordinances and resolutions and all acts done by the council of said town.

Read first and second time and referred to committee on Judiciary.

House concurred in Senate amendments to House file No. 66, a bill for an act providing punishment for the injury or destruction of sidewalks additional to chapter four (4), title twenty-four (24) of the code.

Ordered passed on file.

House concurred in Senate amendments to House file No. 128, a bill for an act providing for the payment of preliminary expenses in connection with drainage districts and making suitable provision for same.

Ordered passed on file.

House concurred in Senate amendments to House file No. 115, a bill for an act to amend section twenty-nine hundred forty one (2941) of the code relative to recording instruments affecting lots in cities and towns or villages in separate books.

Ordered passed on file.

Senate concurrent resolution relative to Hon. George Schramm.

Ordered passed on file.

Senate concurrent resolution relative to Hon. William G. Kent and names on part of House, Kennedy of Lee, Summers of Van Buren, Ritter of Des Moines.

Ordered passed on file.

House file No. 90, a bill for an act making an appropriation for the Dubuque Rescue House at Dubuque, Iowa.

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

THIRD READING OF BILLS.

By unanimous consent, on motion of Senator Molsberry, substitute for Senate file No. 89, a bill for an act to repeal sections nineteen hundred seventy-six (1976), nineteen hundred seventy-nine (1979), nineteen hundred eighty-two (1982), nineteen hundred eighty-four (1984) of the code and to enact substitutes therefor, and to amend sections nineteen hundred seventy-seven (1977) and nineteen hundred eight-six (1986) of the code, relating to levees built by the United States, was taken up and considered.

Senator Molsberry moved that the Senate concur in the following House amendments:

First strike out the word "section" in the tenth line of section four (4) of original bill and insert in lieu thereof the word "chapter".

Second, strike out the word "section" in the thirteenth line of section four (4) of original bill and insert in lieu thereof the word "chapter".

On the question, Shall the Senate concur in the House amendments?

The yeas were:

Bleakly, Bruce, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—45.

The nays were:

None.

Absent or not voting:

Brooks, Courtright, Hayward, Saunders, Stuckslager—5.

So the House amendments were concurred in.

REPORT OF COMMITTEE.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred joint resolution file No. 3 directing the Governor of the State Iowa to invite the Governors of the several states to name representatives to an Interstate convention, to be held at Des Moines, Iowa, or elsewhere, for the purpose of securing such action on the part of the several states as will result in a constitutional convention for the proposal of an amendment to the constitution providing for the election of United States Senators by a direct vote, and making an appropriation for the expense of calling the same, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following bill be substituted therefore and when so substituted the bill do pass.

WARREN GARST,
Chairman.

SENATE FILE NO. 194.

A BILL for an act directing the Governor of the State of Iowa to invite the Governors of the several states to name representatives to an Interstate Convention, to be held at Des Moines, Iowa, or elsewhere, for the purpose of securing such action on the part of the several states as will result in a constitutional convention for the proposal of an amendment to the constitution providing for fhe election of United States Senators by a direct vote, and making an appropriation for the expenses of calling the same.

WHEREAS, The legislature of many states have at various times adopted memorials and resolutions in favor of the election of United States Senators by popular vote; and

WHEAEAS, The National House of Representatives has, in recent years, repeatedly adopted resolutions in favor of the proposed change in the method

of electing United States Senators, all of which, however, have failed in the Senate; and

WHEREAS, Article five (5) of the Constitution of the United States provide that Congress, on the application of the legislature of two-thirds of the several states, shall call a convention for proposing amendments; and

WHEAEAS, It is believed that there is a general desire on the part of the voters of the State of Iowa that United States Senators should be elected by a direct vote; therefore

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

Section I. That the Governor of the State of Iowa is hereby authorized and directed to invite the Governors of the various states to appoint and commission five delegates from each of their respective states to constitute an Interstate Convention, to be held in the city of Des Moines, Iowa, or elsewhere, to be convened in the year 1906, for the purpose of securing such action on the part of the several states as will result in the calling of a constitutional convention for the proposal of an amendment to the Constitution of the United States providing for the election of United States Senators by a direct vote.

Sec. 2. That there is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of one hundred dollars for the payment of the necessary expenses in calling said Interatate Convention, to be paid upon vouchers duly submitted, verified and approved by the Executive Council.

The substitute was read first and second time and ordered placed on the calendar.

Senator Dowell, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 154, a bill for an act to amend section four thousand twenty-five (4025) of the code in relation to notice to defendant in sales under execution, beg leave to report that 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. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 32, a bill for an act to amend section ten (10) as it appears in line four (4) of the code relating to townships and township officers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by the adoption of the following substitute, and when so amended the bill do pass.

C. C. DOWELL,
Chairman.

SUBSTITUTE FOR HOUSE FILE NO. 32.

A BILL for an act to amend section five hundred eighty-five (585) of the code relating to townships and township officers.

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

Section 1. Section five hundred eighty-five (585) of the code is hereby amended by adding thereto the following: "Civil townships are hereby authorized and empowered to receive by gift, devise, or bequest, money or property for the purpose of establishing and maintaining libraries, township halls, cemeteries, or for any other public purpose. All such gifts, devises, or bequests, shall be effectual only when accepted by resolution of the board of trustees of such township."

The substitute was read first and second time and ordered placed on the calendar.

Senator Dowell was called to the chair at 10:30 A. M.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval Senate file No. 29, a bill for an act empowering the Governor and Secretary of State to execute quit-claim deeds conveying to the grantees of S. Dunham all of the right, title and interest of the State of Iowa in the south west quarter the west half of the south east quarter, the south half of the south east quarter, the south half of the north west quarter and the north west quarter of the north west quarter of section twenty-eight (28), and the east half of the north west quarter of section twenty-nine (29): all in township seventy-three (73) north, range one (1) west of the 5th principal meridin.

Also.

Senate file No. 15, a bill for an act to amend section forty-nine hundred thirty-six (4936) of the code, relating to incest.

Also:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate file No. 99, a bill for an act making an appropriation to defray the expense of the reception tendered ex-Governor Larrabee by the Thirty First General Assembly.

Also:

Senate file No. 28, a bill for an act to amend section thirty-six hundred fifty-two (3652) of the code, relating to trial and judgment.

Also:

Senate file No. 22, a bill for an act to legalize the action of the board of supervisors of Des Moines county, Iowa, relating to the sale of school lands in section (16) township seventy-one (71) north of range one (1) west of the fifth principal meridian and to authorize the Governor to issue a patent therefor to the heirs of John Olson.

Senator Lambert moved that 300 additional copies of Senate file No. 189 be order printed.

Carried.

Senate file No. 59, a bill for an act to amend section twenty-four hundred fifty (2450) of the code relating to the sale of intoxicating liquors under the mulct law, with report of committee recommending a substitute, was taken up, considered, and the report of the committee adopted.

Senator Smith of Mitchell moved that the committee substitute be adopted.

Adopted.

Substitute for Senate file No. 59 was read for information.

Senator Jackson offered the following substitute for substitute for Senate file No. 59 and moved its adoption:

SUBSTITUTE FOR SUBSITUTE FOR SENATE FILE NO. 59.

A BILL for an act to amend section twenty-four hundred fifty (2450) of the code relating to the sale of intoxicating liquors under the mulct law.

Be it enacted by the General Assembly of Iowa:

Section 1. Section twenty-four hundred fifty (2450) of the code is hereby amended by adding thereto the following:

In all cases said petition of general consent when found sufficient by the Board of Supervisors of the City Council as the case may be, shall, unless otherwise revoked under section twenty-four hundred fifty-one (2451) of the code, be in force and effect for the period of five years only; and all petitions and statements of general consent under the Mulct Law in force and effect previous to the first day of July, nineteen hundred six (1906) shall, unless revoked under section twenty-four hundred fifty-one (2451) of the code, be and become null and void and of no effect on and after five years from July 1, 1906.

The substitute for the substitute for Senate file No. 59 was read first and second time.

Senator Young of Calhoun moved that when the Senate adjourn today it be until 9:30 o'clock A. M. tomorrow.

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:

House file No. 197, a bill for an act to repeal sections seventeen hundred and eighty-four-a (1784-a) to seventeen-hundred and eighty-four-o, (1784-o) inclusive, supplement to the code, relating to stipulated premium and assessment life insurance associations.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 198, a bill for an act to repeal sections seventeen hundred eighty-four, (1784) of the supplement of the code, relating to assessment life insurance associations and enact substitute therefor.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 199, a bill for an act to amend section sixteen hundred eighty-nine, (1689) of the code relating to mutual insurance companies.

C. R. BENEDIDT,
Chief Clerk.

Senator Young of Washington moved that the time of adjournment be extended until the matter under consideration be disposed of.

Carried.

Senator Molsberry offered the following amendment to the substitute for the substitute bill and moved its adoption.

Amend by striking out the word "five" in the seventh line and insert in lieu thereof the word "three."

Senator Turner moved the previous question on the amendment, the substitute and the bill.

Carried.

On the question, Shall the amendment offered by Senator Molsberry be adopted?

The amendment was lost.

On the question, Shall the substitute for the substitute for Senate file No. 59 be adopted?

A roll call was demanded.

The yeas were:

Bruce, Crawford, Crossley, Gale, Garst, Harper, Hartshorn, Hayward, Hogue, Hughes, Jackson, Jamison, Lambert, Lyons, Molsberry, Newberry, Smith of Des Moines, Stirton, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Washington—25.

The nays were:

Bleakly, Brooks, Dowell, Dunham, Eckles, Elerick, Ericson, Gillilland, Hasselquist, Hopkins, Jones, Kimmel, Kinne, Lewis, Maytag, Smith of Mitchell, Spaulding, Stookey, Taylor, Turner, Winne, Young of Calhoun—22.

Absent or not voting:

Senators Courtright, Saunders, Stuckslager—3.

So the substitute for the substitute was adopted.

Senator Jackson moved that the rule be suspended, and that the substitute for the substitute bill be considered engrossed, and read a third time now, which motion prevailed and the substitute for the substitute bill was read a third time.

On the question, Shall the substitute for the substitute bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hogue, Hopkins, Hughes, Jackson, Jamison, Kimmel, Kinne, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Mitchell, Spaulding, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Calhoun, Young of Washington—39.

The nays were:

Crawford, Lambert, Smith of Des Moines, Stirton, Wilson of Clinton—5.

Absent or not voting:

Courtright, Hayward, Jones, Saunders, Stuckslager, Young of Lee—6.

So the substitute for the substitute bill having received a constitutional majority was declared to have passed the Senate and its title agreed to.

REPORT OF COMMITTEE.

Senator Lewis, from the committee on elections, submitted the following report:

MR. PRESIDENT—Your committee on Elections to whom was referred Senate file No.2, a bill for an act providing for the nomination, by political parties or organizations, of candidates for various offices and the election of delegates to conventions of said political parties or organizations, by a primary election and for the holding of convention by such political parties or organizations, beg leave to report that 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 the adoption of a substitute entitled Crossley substitute for Senate file No. 2, and when so amended the bill do pass.

L. W. LEWIS,
Chairman.

Ordered passed on file.

CROSSLEY SUBSTITUTE SENATE FILE NO. 2.

A BILL for an act providing for the nomination, by political parties or organizations, of candidates for various offices and the election of delegates to conventions of said political parties or organizations, by a primary election and for the holding of conventions by such political parties or organizations.

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

Section 1. That from and after the passage of this act the candidates of political parties for all offices which under the law are filled by the direct vote of the voters of this state at the general election in November, and for the office of Senator in the Congress of the United States, and for the office of elector of the President and Vice-President of the United States, shall be nominated by a primary election at the times and in the manner hereinafter provided. The provisions of chapter three (3) and four (4), title VI (6), and chapter eight (8), title XXIV (24), of the code, shall apply so far as applicable to all such primary elections, the same as general elections, except as hereinafter provided.

Section 2. A political party under this act shall be construed to be any political organization recognized as such under the provisions of section one thousand and ninety-eight (1098) of the code.

Section 3. The primary election herein provided for shall consist of an election by all political parties and shall be held at the usual voting places of the several precincts on the third Tuesday in August, 1906, and biennially thereafter, for the nomination of candidates for such offices as are to be filled at the general election in November next ensuing, and for Senator in the Congress of the United States in the next year preceding the filling of that office by the General Assembly, and for the electors of the President and Vice-President of the United States, in the year in which a President and Vice-President are to be elected.

Section 4. The judges and clerks of said primary election shall be selected and appointed in the same manner as for the general election held in November following, and they shall take the same oath and the judges are hereby authorized to administer oaths as hereinafter provided. Vacancies shall be filled as provided for the judges and clerks of the general election, and their compensation shall be the same. The expenses of said primary election shall be paid one-half by the county in which the said primary election is held, and one-half by the State. The Board of Supervisors of each county shall audit the entire expense and certify the same to the Executive Council, which shall thereupon order a warrant for one-half the amount to be delivered to the county, which shall thereupon pay the entire amount.

Section 5. The Australian ballot system as now used in this State, except as hereinafter provided, shall be used at said primary election in all precincts. The circle shall be omitted from the ballot, and the voter shall in all cases mark the ballot in the square before the name of each person for whom he desires to vote. In cities where registration is required by law, the polls shall be open from 7:00 A. M. to 6:00 P. M., and in all other precincts from 1:00 P. M. to 8:00 P. M. The elector voting at said primary election shall be allowed to vote for candidates for nomination on the ticket of only one political party, and that shall be the party with which he is registered as affiliated. The endorsement of the judges of election and the *fac simile* of the auditor's signature shall appear upon the ballots as provided by law for the ballots used for the November election. The voter must return the ballot folded to one of the judges of election who shall deposit it in the ballot box.

Section 6. At the primary election to be held on the third Tuesday in August in the year 1906, any person shall be entitled to participate therein who is a qualified elector in such precinct at the time of said primary election and when the voter seeks to pass the guard-rail he shall indicate the party ballot he desires and one of the judges of the primary election board shall give him such primary ballot, (unless challenged, and if so challenged, then only in the event that the challenge is determined in favor of the voter) and such person shall thereupon be allowed to vote. The voter's selection shall constitute his declaration of party affiliation and shall be checked on the voting list used by the clerks of the primary election board and said list shall be returned to the county auditor for preservation. Copies of the names and party entries on such list together with the changes of party affiliation hereinafter provided, arranged alphabetically by surnames, shall be used at subsequent primaries for determining with what party the voter has been enrolled, and no voter enrolled under the provisions of this act shall be allowed to receive the ballot of any political party except that with

which he is so enrolled, but he may change his enrollment as elsewhere provided in this act. The county auditor shall prepare for each voting precinct two of the above mentioned lists duly certified by him, which he shall deliver to the succeeding primary election boards in 1908 and biennially thereafter, at least one day prior to the day of the primary election and which lists together with the poll books of the primary election shall be returned to the said auditor in good condition within twenty-four hours after the primary election to be preserved by him.

Seciton 7. Any person who has declared his party affiiliation shall thereafter be listed on the poll books as a member of that political party, and such person while living in the same voting pricinct need not declare his party affiliation at succeeding primary elections unless he desires to change his party affiliation. Any elector, who, having declared his party affiliation, desires to change the same, may, not less than thirty days prior to the date of any primary election file a written declaration with the county auditor stating his change of party affiliation, and the auditor shall enter a record of the same on the poll books in the proper column opposite the voter's name. Any elector who has for any reason failed to register his party affiliation or has changed his residence to another precinct, or a first voter or citizen of this state casting his first vote in this state shall be entitled to vote at any subsequent primary election in the same manner and upon the same terms as provided in section 6 of this act and the clerks of the primary election shall record his party affiliation and the county auditor shall add his name to the alphabetical lists for use in subsequent primary elections as provided for in section 6 of this act.

Section 8. Each political party shall be entitled to have two party challengers present at each polling place, to be appointed by the respective party committeemen. Any judge or clerk of the primary election or any party challenger may challenge any voter upon the grounds mentioned in section eleven hundred and fifteen (1115) of the code and such challenge shall be determined as there provided. Any elector whose party affiliation has been recorded as provided by this act and who desires to change his party affiliation on the primary election day, shall be subject to challenge. If the person challenged insists that he is entitled to vote the ticket of the political party to which he has transferred his political affiliation and the challenge is not withdrawn, one of the judges shall tender to him the following oath: "You do solemnly swear (or affirm) that you have in good faith changed your party affiliation to the.....party." And if he take such oath he shall thereupon be given a ticket of such political party and the clerks of the primary election shall change his enrollment of party affiliation accordingly.

Section 9. The name of no candidate shall be printed upon an official ballot used at any such primary election unless at least thirty (30) days prior to such primary election a nomination paper shall have been filed in his behalf in the office of the Auditor of the county, if he is a candidate for an office to be filled by the voters of a single county or any division thereof; or unless at least forty (40) days prior to such primary election a nomination paper shall have been filed in his behalf in the office of the Secretary of State, if he is a candidate for an office to be filled by the voters of more than one county, which nomination paper shall be in substantially the following form:

I, the undersigned, a qualified elector of.....County and state of Iowa, and a member of the.....party hereby nominate.....of.....County, state of Iowa, who has affiliated with and is a member of the..... party, as a candidate for the office of..... .....to be voted for at the primary to be held on the third Tuesday in August, 19....

All nomination papers shall have substantially the above form written or printed at the top thereof. No signatures shall be counted unless they are on sheets each having such form written or printed at the top thereof. Each signer of a nomination paper shall sign but one such paper for the same office, and he shall add his residence, with street and number, if any, and the date of signing. For all nominations all signers of each separate nomination paper shall reside in the same county. The affidavit of a qualified elector shall be appended to each such nomination paper, or papers, if more than one for any candidate, stating that he is personally acquainted with all the persons who have signed the same; that he knows them to be electors of that county and believes them to be affiliated with the party named therein; that he knows that they signed the same with full knowledge of the contents thereof; that their respective residences are truly stated therein; and that each signer signed the same on the date stated opposite his name.

Such affidavit shall not be made by the candidate, but each and every candidate shall file with his said nomination paper or papers an affidavit stating that he is eligible to the office for the county, district, or state in which he is, and will be a bona fide candidate for nomination for said office, as follows:

I, A.....B....., being duly sworn, say that I reside at.....street,..... (city or town),..... .....county, in the state of Iowa; that I am eligible to the office for which I am a candidate, and that the political party with which I affiliate is the .....party; that I am a ... . and a candidate for nomination to the office of..... .....to be made at the primary election to be held on the third Tuesday in August, 19.....and hereby request that my name be printed upon the official primary ballot as provided by law, as a candidate of the .....party. I furthermore declare that if I am nominated and elected I will qualify as such officer.

(Signed).....

Subscribed and sworn to (or affirmed) before me..... ..... by....., on this.....day of..... 19 .....

....

The nomination papers above required shall be signed as follows:

(1) If for a state office, United States Senator, or elector at large, by at least two (2) per cent of the voters of the party (as shown by the returns of the last general election) of such candidate, in each of at least ten (10) counties of the state, and in the aggregate not less than one (1) per cent of the total vote of his party in the state, as shown by the last general election.

(2) If for a Representative in Congress, District Elector, Senator in the General Assembly or Judge of the District Court, in districts composed of more than one county, by at least three (3) per cent of the voters of his

party, as shown by the last general election in at least one-half of the counties of the district, and in the aggregate not less than two (2) per cent of the total vote of his party in such district as shown by the last general election.

(3) If for an office to be filled by the voters of the county, by at least four (4) per cent of the party vote in the county, as shown by the last general election.

In each of the above cases, the vote to be taken for the purpose of computing the percentage shall be the vote cast for the head of the ticket.

Section 10. At least thirty (30) days before any such primary election, the secretary of state shall transmit to each county auditor a certified list containing the name and postoffice address of each person for whom nomination papers have been filed in his office, in accordance with the preceding section and entitled to be voted for at such primary election by the voters of such county, together with a designation of the office for which he is a candidate, and the party from which he seeks a nomination. Such auditor shall forthwith, upon receipt thereof, publish, under the proper party designation, the title of each office to be filled, the names and addresses of all persons for whom proper nomination papers have been duly filed, both in his own office and in the office of the secretary of state, giving the name and address of each, the date of the primary, the hours during which the polls will be opened, and that the primary will be held in the regular polling places in each precinct. It shall be the duty of the said auditor to publish said notice once each week for two weeks prior to the said primary election. He shall also forthwith mail copies of such notice to each city, town, and township clerk of the county, who shall immediately post copies of the same in at least three (3) public places in each precinct of the township, town or city, designating therein the location of the polling booth in each election precinct. Every publication required in this act shall be made in at least two (2) and not to exceed four (4) newspapers of general circulation in such county. One of such newspapers shall represent the political party which cast the largest vote in such county in the preceding general election, and one of such newspapers shall represent the political party which cast the next largest vote in such county in said general election. In any case where the publication of a notice cannot be made as hereinbefore required, it may be made in any newspaper having a general circulation in the county in which the notice is required to be published.

Section 11. The names of the candidates for nomination of each and every political party for the several offices shall be printed on separate and uniform ballots, with the name of the political party printed at the head of said ballots, which ballots shall be prepared by the county auditor in the same manner as for a general election.

Section 12. All necessary election supplies, including poll books as provided by law, for the general election, shall be furnished for the primary election board for each precinct by the county auditor, and such poll books shall contain blank spaces for the names of the candidates of the several parties for the different offices to be written in, and blank spaces for entering by the clerks the names of the electors voting at said primary election; and

upon the pages provided for entering the names of said voters there shall be ruled spaces for the listing of the names of said voters and for the designation of the party ticket voted by said elector in manner and form as follows:

No.	Name.	Republican	Democrat	Prohibitionist	Populist
1	James Smith	X			
2	Tom Jones		X		
3	Dan Brown			X	
4	Geo. White				X

It shall be the duty of the clerks of the primary election when entering the name of a voter to place in the poll book a cross thus (X) in the column designating the party ticket which was given to said voter upon his application for a ticket.

Section 13. Upon the closing of the polls, the clerks and judges shall immediately open the ballot box at each polling place and proceed to take therefrom the ballots. Said officers shall count the number of ballots cast by each party, at the same time bunching the tickets cast for each party together in separate piles. As soon as the clerks and judges shall have sorted the ballots of each separate party, then they shall take the tally sheets provided in the poll books and shall count all the ballots for each party separately until the count is completed, and shall certify to the number of votes cast for each candidate for each office upon the ticket of each party. After all have been counted and certified to by the clerks and judges, they shall seal the ballots cast by each of the parties in separate envelopes on the outside of which shall be printed or written the names of that party's candidates for the different offices, and opposite each candidate's name shall be placed the number of votes cast for such candidate in said precinct, and then seal these envelopes containing the votes of the various political parties, in one large envelope, on the outside of which, or on a paper attached thereto, shall be printed or written in perpendicular columns the names of the several political parties with the names of the candidates for the different offices under their respective party headings, and opposite each candidate's name shall be placed the numbre of votes cast for such candidate in said precinct, and at the bottom the total vote cast by each political party in said precinct, and such envelopes shall be returned to the county auditor.

Section 14. Said judges of election shall deliver the returns so made to the auditors of their respective counties within twenty-four (24) hours after the primary election has closed; and if the returns from any precinct be not so delivered within the said time, the county auditor shall forthwith send a messenger for any such missing returns, and said messenger shall be paid as provided by law for the general election. On the Thursday next following the primary election, the auditor shall, in the presence of the chairman of the county central committee of each of the political parties whose candidates were voted for at the election (or, if they be not in attendance, then in the presence of any persons who desire to attend) open the said returns, and he shall thereupon canvass the same for all candidates for office in townships and political divisions less than a county, and the candidates for office who have received the highest number of votes cast, as

determined by a count of the votes by the primary election board, shall be declared the nominees of the parties in such divisions, and their names shall be placed upon the ballots for the succeeding general election, as required by law.

With respect to all offices to be filled by the voters of a single county, or district composed of a single county, the auditor shall make an abstract of the returns as to such offices, and shall forthwith deliver the original returns to the said chairman of their respective political parties.

With respect to all offices to be filled by the voters of the entire state, or of districts comprising more than a single county, the said auditor shall, at the same time make an abstract of the returns as to all candidates for such offices, and shall forthwith either deliver or send by express or registered letter the said original returns to the secretary of state at the seat of government. The secretary of state shall thereupon, and within three (3) days after the said returns are so delivered to him, dispose of them as follows: The returns respecting the candidates for offices to be filled by the votes of the voters of the entire state shall be delivered to the chairman of the central committees, respectively, of said several political parties. The returns respecting the candidates for offices to be filled by districts less than the state, but comprising more than one county, shall be delivered to the chairman of the respective district committees, if any such committees be in existence. If there be no such district committees, then the secretary of state shall make a sufficient number of certified copies of the returns relating to such district, and he shall deliver one thereof to each of the chairmen of the county central committees in such district.

Section 15. A state convention for each political party, composed of delegates chosen in the manner herein provided, shall be held not earlier than the second Thursday and not later than the third Thursday following the primary election of 1906 and biennially thereafter, convening at such time and place as may be determined upon by the party organization. The convention shall be called to order by the chairman of the state central committee, who shall thereupon present the list of delegates, as certified by the various county conventions, and effect a temporary organization. If any county shall not be fully represented, the delegates present from such county may fill the delegation, or cast the full vote thereof, but there shall be no proxies. When the convention has been permanently organized, a committee shall be selected composed of one member from each congressional district, to be selected by the delegates from that district, whose duty it shall be to canvass the returns as to candidates for all offices to be filled by the votes of all the voters of the state, and in the proper years for Senator of the United States, and for electors-at-large of President and Vice-President of the United States. The members of this committee shall, before entering upon their duties, take and subscribe an oath or affirmation for the faithful discharge thereof. It shall be the duty of the chairman of the said central committee, immediately after a temporary organization is effected, to deliver the returns received by him from the secretary of state to the temporary chairman of the convention, who shall hold the same until a permanent chairman is selected, and then immediately deliver them to the said permanent chairman. When the committee hereinbefore mentioned is selected, and is ready to enter upon its duties, the said permanent chairman

shall deliver the said certified returns to said committee. The said committee shall immediately proceed to canvass the returns so certified by the secretary of state, and shall make a report as soon as may be to the convention. Those candidates, who, according to said report, have received the highest number of votes at the primary election for the office for which they were respectively candidates, shall be the nominees of the respective parties for such offices, and the permanent chairman of any such convention shall, immediately after the adoption of the report, so declare.

In case of a tie, the convention shall decide by ballot between the candidates having an equal number of votes. Within ten (10) days after the adjournment of any such convention the permanent chairman and secretary thereof shall certify under oath to the secretary of state the names of the persons so nominated, designating in such certificate the persons nominated for the respective offices, and the time and place of holding the convention; and such certificate shall be in lieu of the certificates now required by the secretary of state in placing the nominees of a political party on the ballot for the general election.

Section 16. There shall be held in each congressional district of the state a convention of each political party composed of delegates selected in the manner hereinafter provided not earlier than the first Tuesday and not later than the second Tuesday following the primary election of 1906, and biennially thereafter, which shall convene at such time and place in the district as the party organization may determine. The chairman of the congressional committee shall call the convention to order and after presenting the lists of delegates as certified by the various county conventions effect a temporary organization. If there be no congressional committee, any county chairman shall act in his place. If any county shall not be fully represented, the delegates present from such county may fill the delegation or cast the full vote thereof, but there shall be no proxies. The secretary of state shall, at or before the time the convention is called to order, deliver to the chairman of the congressional committee, if there be one, the returns relating thereto, or if there be no chairman, he shall deliver to each county chairman of the district a certified copy of the returns filed in his office by the county auditors repecting the office of representative in congress. Such certificate or certificates shall be delivered by such chairman or chairmen to the temporary chairman of the convention, and by him to the permanent chairman of the convention. Immediately upon the completion of the permanent organization, a committee shall be selected from the body of the convention, consisting of one member from each county of the district, to be selected by the delegates of that county, and the members of said committee shall, before entering upon the discharge of their duties, take an oath or affirmation for the faithful discharge thereof. As soon as said committee is selected, the permanent chairman shall deliver to it the certified copy or copies of the returns received from the secretary of state. The said committee shall thereupon canvass said returns and report as soon as may be to the convention, and the candidate who has received the largest number of votes for such office at the primary election shall be the candidate of the party therefor at the next general election, and the chairman of the convention shall, immediately after the adoption of the report, so declare, and, together with the secretary, shall make certificate under oath and deliver the same to the secretary of state, which certificate shall designate

the nominee for said office and the time and place of holding the convention, and said certificate deposited with the secretary of state shall be in lieu of the certificate now required by law in nomination of a representative in congress by a political party and shall entitle the said nominee to be placed upon the ballot for the ensuing general election.

Section 17. There shall be held by each political party in each judicial district in the state, in the years for the election of district judges, a convention not earlier than the first Tuesday and not later than the second Tuesday following the primary election. In districts composed of more than one county, the procedure shall be similar to the procedure prescribed for the nomination of representatives in congress, and in districts composed of a single county, a like procedure shall be observed, save and except that the committee to canvass the vote shall be composed of one member from each township as in county conventions hereinafter provided for, and the returns respecting the office of district judge shall be delivered to the chairman by the county auditor, instead of the secretary of state. In all other respects, the provisions of this act with regard to nominations of representatives in congress shall be applicable to nominations of candidates for the office of district judge.

Section 18. There shall be held by each political party in each senatorial district in the years in which a senator in the General Assembly of the State of Iowa is to be elected in any such district, a senatorial convention. The convention shall be held not earlier than the first Tuesday and not later than the second Tuesday following the primary election, and shall convene at such time and place as the party organization may determine. In districts composed of more than one county, the procedure shall in all respects be similar to the procedure herein prescribed for the nomination of a representative in Congress, and in districts composed of a single county a like procedure shall be observed, except that the committee to canvass the vote shall be composed of one member from each township as in county conventions hereinafter provided for, and the returns regarding the office of senator shall be delivered to the county chairman by the county auditor instead of the secretary of state. In all other respects the section hereof relating to representatives in Congress shall apply.

Section 19. In each county there shall be held in each year in which an election in November is to take place a county convention of each political party. Said county convention shall be composed of delegates elected at the last preceding primary election, and shall be held on the first Saturday following the primary election, convening at 1:00 o'clock P. M. The number of delegates from each voting precinct shall be determined by a ratio adopted by the county central committee, and shall be thus determined and a statement designating the number from each voting precinct in the county filed in the office of the county auditor at least thirty (30) days before the primary election; if not so done, the auditor shall fix the number. The requisite number of names of candidates of his choice for delegates to the county convention to which each precinct is entitled shall be written or pasted with uniform white pasters on the blank lines provided upon the ballot by the voter while in the booth, or by some one designated by a voter unable to write, after the ballots are received and before they are deposited, and the requisite number of persons from each precinct who receive the highest number

of votes shall be the delegates from the precinct to the county convention. One member of the county central committee for each political party from each precinct shall be elected in the same manner in which delegates are selected. His term of office shall begin on the day of the county convention and immediately following the adjournment thereof and shall continue for two years and until his successor is elected and qualified. Returns shall be made by the judges of election respecting delegates and members of the county central committee in the same manner as for other officers, except that the judges of election shall canvass the returns as to delegates and members of the county central committee, and certify the result to the auditor with the returns. The auditor shall, immediately after such returns are fixed, notify the delegates and members of the county central committee who have thus been elected, of their election, and of the time and place of holding the county convention, and shall on the Thursday following the primary deliver a certified list to each county chairman. When the delegates, or a majority thereof, thus elected shall have assembled in county convention at the time herein prescribed and at the countyseat, the convention shall be called to order by the county chairman, who shall present the certified list of delegates and members of the county central committee. If any precinct shall not be fully represented, the majority of the delegates present from such precinct may fill the delegation, or cast the full vote thereof, but there shall be no proxies. At or before the time of convening the said county convention the county auditor shall deliver the returns relating to all offices which are to be filled by the voters of the county to the county chairman, who shall deliver them to the temporary chairman of the convention, who in turn shall deliver them to the permanent chairman of the convention immediately upon his taking his seat as presiding officer of the convention. Immediately after the permanent organization is effected, a committee of one member from each township of the county who shall be selected by the delegates from such township shall be selected, the members of which, before entering upon their duties shall take an oath or affirmation for the faithful discharge thereof. Thereupon, the permanent chairman shall deliver to such committee the said returns, and the committee shall proceed to canvas the same and make report as soon as may be to the convention. The candidates who receive the highest number of votes for the respective offices to be filled shall be the nominees of the party for such offices, and the chairman of the convention shall so declare. In the event of a tie, the convention shall decide by ballot between those candidates having an equal number of votes. The president and secretary of the convention shall within three (3) days after the adjournment thereof make a certificate under oath designating the persons who have been so nominated, and the time and place of holding the convention, and shall deliver the same to the county auditor. The names of the candidates for offices which under the existing law are placed upon the ballot by the county auditor shall be so placed under this act, and the names of candidates whose nominations under the existing law are certified to the secretary of state by the county auditor, to be dealt with in the same manner as nominations now are. The said county convention shall also select delegates to the next ensuing state and district conventions of that year, upon such ratio of representation as may be determined by the party organization.

Section 20. The names of candidates for each office on all primary election ballots shall be arranged alphabetically according to surnames.

Section 21. The provisions of section two thousand four hundred and forty-eight (2448) of the code relative to the closing of saloons on election days shall apply in like manner to primary election days under this act.

Section 22. In all cities having a population of five thousand (5000) or more, as determined by the last preceding state or federal census, the nominations of all candidates for elective offices by political parties shall be made by a primary election, and all the provisions of this act shall apply to the nomination of candidates for elective offices by political parties for municipal elections in such cities so far as applicable, and said municipalties shall pay the expenses of the same, all bills to be audited and passed upon by the city council. The primary election in such cities for the nomination of candidates for municipal offices shall be held on the fourth Tuesday preceding the day of the general municipal election. The city clerk shall receive the nomination papers and shall arrange, publish, have printed, and furnish to the precinct election officers the party tickets and necessary election supplies, and to him shall be made the returns by the primary election board and he shall make certified copies of the said returns and deliver the same to the chairman of the city committees of the several political parties participating in said primary election, by 1:30 o'clock p. m. of the Friday following the said primary election, and shall perform such other duties relative to the city primary election as are provided for the county auditor, and which can be made applicable to a city. A city convention of the various political parties participating in a primary election shall be held on the Saturday next following the day of holding the primary election, and the canvass shall be there made and the result declared as provided for a county convention by this act. The city committees of the various political parties recognized by this act shall consist of one elector, a member of that particular party from each voting precinct of the city who shall be a legal voter in the precinct he is elected to represent. He shall be known as precinct committeeman, and shall be elected at the city primary election in the same manner in which candidates and delegates are selected and shall serve until the next city election, or until his successor is elected and qualified.

Section 23. This act shall not apply to special elections.

Section 24. Any party committeeman or any primary electionor other public officer, upon whom the duty is imposed by this act or by acts herein made applicable to primary elections, who shall wilfully neglect to perform any such duty, or who shall wilfully perform it in such a way as to hinder the objects thereof, or shall disclose to any one, except as may be ordered by any court of justice the contents of any ballot or any part thereof, as to the manner in which the same may have been voted, shall be punished by a fine of not less than one hundred dollars ($100), nor more than one thousand dollars ($1,000), or by imprisonment in the penitentiary not less than one (1) or more than five (5) years, or by both such fine and imprisonment.

Section 25. Any person who shall agree to perform any services in the interest of any candidate in consideration of any money or other valuable thing, or who shall accept any money or other valuable thing for such services performed in the interest of any candidate, or any person paying or offering to pay or giving or offering to give money or other valuable things for such services, shall be punished by a fine of not more than three hundred

dollars ($300), or be imprisoned in the county jail not exceeding thirty (30) days. But nothing herein shall be construed to include persons making contracts in good faith for the announcement of their candidacy in the newspapers and for the conveyance of voters to and from polling places on the day of the primary election and the payment of any reasonable compensation for such services.

Section 26. Any person offering or giving a bribe either in money or othe consideration to any elector for the purpose of influencing his vote at any primary election, or any elector entitled to vote at such primary election receiving and accepting such bribe; any person making false answer to any of the provisions of this act relative to his qualifications and party affiliations; any person wilfully voting or offering to vote at a primary election who has not been a resident of this state for six months next preceding said primary election; or who, at the primary election is not twenty-one years of age, or is not a citizen of the United States; or knowing himself not to be a qualified elector of such precinct where he offers to vote; or any person violating the provisions of this act of the code, as may be hereto applied, and any person knowingly procuring, aiding, or abetting such violation, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined a sum not less than one hundred dollars ($100) or more than five hundred dollars ($500) and be imprisoned in the county jail not less than ten (10) days nor more than ninety (90) days.

Section 27. All acts and sections of the code and of the acts of the Twenty-seventh (27th), Twenty-eighth (28th), Twenty-ninth (29th) and Thirtieth (30th) General Assemblies in conflict herewith are hereby repealed.

Section 28. This act shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published in Des Moines, Iowa, and the same shall be published in the official newspapers of each county at the expense of the respective counties at the compensation allowed for publishing the proceedings of the board of supervisors.

The Substitute was read first and second time and ordered printed in the Journal and placed on the Calendar.

Senator Lewis moved that five hundred extra copies of the Journal of February fourteenth be ordered printed.

Carried.

Senator Hughes moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, February 15, 1906.

Senate met pursuant to adjournment at 9.30 o'clock A. M., President pro tem Smith presiding.

Prayer was offered by the Rev. A. M. Pilcher of Leon, Iowa.

On request of Senator Whipple leave of absence was granted Senator Stuckslager for the day.

On request of Senator Hopkins leave of absence was granted Senator Hartshorn for the remainder of the day.

On request of Senator Molsberry leave of absence was granted Senator Gale for the remainder of the day.

Senator Crawford presented petition of forty physicians of Dubuque county protesting against the election of an Osteopath to the State Board of Health.

Referred to committee on Public Health.

INTRODUCTION OF BILLS.

By Senator Gale, Senate file No. 195, a bill for an act to repeal chapter thirty-one of the acts of the Thirtieth General Assembly and to enact a substitute therefor relating to sewers in cities and in incorporated towns.

Read first and second time and referred to committee on Cities and Towns.

By Senator Dunham, Senate file No. 196, a bill for an act to amend section two hundred eighty-eight (288) of the code relating to sale book record.

Read first and second time and referred to committee on Judiciary.

By Senator Kimmel, Senate file No. 197, a bill for an act to provide for the licensing of persons to hunt, pursue, kill and take

wild animals, birds and game in this state, and the payment of such license fees into the state treasury for the use of the fish and game warden and the punishing of unauthorized persons for hunting, pursuing, killing and taking of any wild animals, birds or game within the state and amending section two thousand five hundred sixty-two (2562) of the code relating to the deputy fish and game wardens.

Read first and second time and referred to committee on Fish and Game.

By Senator Hogue, Senate file No. 198, a bill for an act appropriating the sum of two hundred seventy-eight dollars twenty-one cents ($278.21) to be paid to Crawford county in settlement of claims against the State of Iowa by reason of expense incurred in the transporting of Russell Gifford and Wm. Butterworth, insane persons out of the State.

Read first and second time and referred to committee on Claims.

By Senator Dowell, Senate file No. 199, a bill for an act to amend the law as it appears in section one thousand seven hundred nine (1709) of the code and of the supplement to the code relating to insurance.

Read first and second time and referred to committee on Insurance.

By Senator Dowell, Senate file No. 200, a bill for an act making appropriations for construction, improvement, repairs and contingent funds for the Industrial School for Girls at Mitchellville.

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

By Senator Crossley, Senate file No. 201, a bill for an act to legalize the ordinances, acts, resolutions and amendments to the ordinances passed by the city council of Winterset, Iowa, and to legalize all the acts of the incorporated city of Winterset, in the county of Madison, State of Iowa.

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

Senator Lambert asked unanimous consent to withdraw Senate file No. 173 for correction, and that the usual number of corrected bills be printed.

Granted.

Senator Young of Calhoun offered the following resolution and moved its adoption:

WHEREAS, J. D. McVey, a member of the Senate during the Twenty-second and Twenty-third session, departed this life since the adjournment of the last session.

Resolved, That a committe of three be appointed by the President of the Senate to prepare and present to the Senate suitable resolutions concerning the life, character and public service of the deceased.

Adopted.

HOUSE MESSAGES CONSIDERED.

House file No. 197, a bill for an act to repeal sections one thousand seven hundred eighty-four-a (1784 a) to one thousand seven hundred eighty-four-o (1784-o), inclusive, supplement to the code, relating to stipulated premium and assessment life insurance associations.

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

House file No. 198, a bill for an act to repeal section one thousand seven hundred eighty-four (1784) of the supplement to the code, relating to assessment life insurance associations and enact substitute therefor.

Read first and second time and referred to committee on Insurance.

House file No. 199, a bill for an act to amend section one thousand six hundred eighty-nine (1689) of the code relating to mutual insurance companies.

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

REPORT OF COMMITTEES.

Senator Young of Calhoun, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health to whom was referred Senate file No. 141, a bill for an act to regulate the sale of gasoline and providing penalty for violation thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

YOUNG of CALHOUN,
Chairman.

Adopted.

Senator Crawford from the committee on Federal Relations submitted the following report:

MR. PRESIDENT—Your committee on Federal Relations to whom wa referred House concurrent resolution adopted by the House January 23rd, 1906, requesting the Senators and the members of the House of Representatives in congress from this State to use their influence and to so vote as to secure the passage of a law empowering the Interstate Commerce Commission to fix and establish interstate freight rates and charges subject to such rights of review by the courts as may be proper and equitable and in which the concurrence of the Senate was asked, beg leave to report that 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 "and to so vote" in the 6th line of the resolution, and by inserting in the eighth line thereof after the word "charges," the words "where found unjust", also to further amend by adding the words "and that the Secretary of State is hereby instructed to transmit a copy of this resolution to each of our Senators and members of Congress," and when so amended the resolution be adopted.

P. W CRAWFORD,
Chairman.

Adopted.

Senator Kimmel 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. twenty-five, a bill for an act to amend section forty-eight hundred twenty-one (4821) of the code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. C. KIMMEL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Fish and Game to whom was referred Senate file No. 114, a bill for an act to amend section forty-eight hundred twenty-one (4821) of the code, relative to hunting on enclosed lands, beg to report that 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.

W. C. KIMMEL,
Chairman.

Adopted.

Also:

MR. PRESIDENT—Your committee on Fish and Game to whom was referred Senate file No. fifty-five, a bill for an act to amend section one (1),

chapter ninety-four (94), Laws of the Thirtieth General Assembly, relative to taking fish from the lakes 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 amended as follows: Amend by striking out the comma after the word "gar" and inserting in lieu thereof the word "and"; further amend by striking out the words "and sheepheads" in the same line, and when so amended the bill do pass.

W. C. KIMMEL,
Chairman.

Adopted.

Also:

Senator Ericson, from the committee on Public Libraries, submitted the following report:

MR. PRESIDENT—Your committee on Public Libraries to whom was referred Senate file No. 61, a bill for an act to amend section seven hundred thirty-two (732) of the supplement to the code, relating to the levy of taxes for library 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 same be amended as follows: Amend the title by inserting, in the first line thereof, after the word "amend," the words "the law as it appears in."

Also amend section one (1) by inserting, in the first line thereof, after the word "amend," the words "the law as it appears in," and when so amended the bill do pass.

C. J. A. ERICSON,
Chairman.

Adopted.

Senator Dunham, from the committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your committee on Suppression of Intemperence to whom was referred Senate file No. 136, a bill for an act additional to and amendatory of the law as it appears in chapter six (6) of title twelve (12) of the code of 1897, and supplement to the code, relative to intoxicating liquors, providing for the appointment of district marshals and their deputies, describing their duties, fixing their compensation and creating a fund therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

GEO. W. DUNHAM,
Chairman.

Ordered passed on file.

Senator Dowell, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 57, a bill for an act to amend section eighteen hundred six (1806) of the code in relation to the investment of funds of life insurance companies and 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 the same be amended by substituting the following and when so amended the bill do pass.

C. C. DOWELL,
Chairman

SUBSTITUTE FOR HOUSE FILE NO. 57.

A BILL for an act to amend the law which appears as section eighteen hundred six (1806) supplement to the code relating to the investment of funds of insurance companies and associations.

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

Section 1. That the law which appears as section eighteen hundred six (1806), supplement to the code, be and the same is hereby repealed and the following enacted in lieu thereof:

"The funds required by law to be deposited with the Auditor of State by any company or association contemplated in the two chapters preceding and the funds or accumulations of any such company or association organized under the laws of this state, held in trust for the purpose of fulfilling any contract in its policies or certificates, shall be invested in the following described securities and no other:

1. The bonds of the United States;

2. The bonds of this state or of any other state when such bonds are at or above par;

3. Bonds or other evidences of indebtedness of any county, city, town or school district within the state or any other state, drainage district bonds of this state, improvement certificates issued by any municipal corporation of this state such certificates being a first lien upon real estate within the corporate limits of the municipality issuing the same, where such bonds or other evidences of indebtedness are issued by authority of and according to law and bearing interest and are approved by the executive council;

4. Bonds and mortgages and other interest bearing securities being first liens upon real estate within this state or any other state worth at least double the amount loaned thereon and secured thereby exclusive of improvements, or two and one-half times such amount including the improvements thereon, if such improvements are constructed of brick or stone; but no such improvements shall be considered in estimating the value unless the wner shall contract to keep the same insured in some reliable fire insurance company or companies authorized to do business in the state, during the life of the loan, in a sum at least double the excess of the loan above one-half the value of the ground exclusive of the improvements, the insurance to be made payable in case of loss to the company or association investing its funds, as its interests may appear at the time of loss; provided that before a company or association may invest any of its funds in such securities as are specified in this subdivision of this section in any state other than the state of Iowa it shall first obtain consent of the executive council so to do.

5. Loans upon its own policies, where the same have been in force at least two full years, in an amount not exceeding the net terminal reserve

If such loan is made, the company must describe in the note or contract taken, the amount of the loan, the name of the borrower, the number of the policy, and the terms of such note or contract shall make the amount loaned a lien against such policy and such note or contract shall be numbered, dated and signed, giving the post office address of the insured.

6. Any such real estate in this state as is necessary for its accommodation as a home office and in the erection of any building for such purposes, it may add thereto rooms for rent; provided that before any company or association shall invest any of its funds, in accordance with the provisions of this subdivision, it shall first obtain the consent of the executive council, and provide further that not to exceed ten per cent of the lawful reserve of such company or association shall be so invested. Any company or association so investing its funds may use the value of any such home office as a part of the deposit of legal reserve, in which case it shall convey the same to the Auditor of State by deed, such property to be held by him in trust for the benefit of the policy holders or members of the company or association. The value thereof to be determined from time to time by the Auditor of State.

All such securities shall be deposited with the Auditor of State, subject to his approval, and shall remain with him until withdrawn in accordance with law. Any company or association receiving payments or partial payments on any securities deposited with the Auditor of State shall notify him of such fact, giving the amount and date of payment, within fifteen (15) days after such payment shall have been made. The officers of any company or association which fails to report the receipt of payment or partial payments as above provided, shall be liable to a fine in double the amount collected and not reported within the time and in the manner above specified. It shall be the duty of the company or association and of the officers thereof to withdraw from deposit any loans made in accordance with the provisions of subdivision five (5) of this section within fifteen (15) days after the date of the lapsing or termination of any policy of insurance upon which any such loan is made.

Any association making deposit with the Auditor of State as herein contemplated, shall at the time of making request for the withdral of any securities, designate for what purpose the same are desired to be withdrawn.

The Auditor of State shall have authority to suspend or revoke the certificate of authority of any company or association failing to comply with any of the provisions of this section for violating the same.

The substitute was read first and second time and passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referreed Senate file No. 158, a bill for an act to amend section eighteen hundred eighty-five (1885) of the code relating to fradulent banking, beg leave to report that 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.

C. C. DOWELL,
Chairman

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 30, a bill for an act to prohibit hazing in educational institutions, and provide punishment therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 194, a bill for an act to legalize the incorporation of the town of Ionia, Chickasaw county, Iowa, the election of its officers, the passage of its ordinances and resolutions, and all acts done 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 same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also.

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 190, a bill for an act to legalize the action of the Board of Supervisors and other officers of Jasper county, Iowa, as far as they relate to the establishment of a certain public highway in Kellogg township, Jasper county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Senator Hopkins, from the joint committee appointed to visit the State University at Iowa City, submitted the following report and asked that it be printed in the journal:

Granted.

To the President of the Senate and the Speaker of the House of Representatives of the Thirty-first General Assembly.

Your joint committee appointed to visit the State University of Iowa City, beg leave to submit for your consideration the following report:

Par. 1. Your committee believes that the administration of the University is in able, competent and capable hands, and that the present management is efficient and progressive, and that the University at this time is accomplishing a great work for the advancement of higher education, and its prosperity seems to indicate that the institution is rapidly becoming one of the foremost Universities of the northwestern states.

Par. 2. Your committee find that the number of students enrolled have increased during the biennial period something over four hundred (400) with a good prospect of this increase being continued.

Par. 3. Your committee made an investigation of the buildings recently erected and the need of those which are now asked for by the regents, such as the length of time that we had would permit, and we desire to say that the recent buildings erected are plain yet modern and up to date, and show a very progressive spirit in the management of the institution. Your committee are of the opinion that the institution will grow rapidly in the number of students in the near future, and new and additional buildings and also additional grounds for buildings will be required and for that reason your committee would recommend that the present millage tax given to the institution be continued for at least the next five years, and our recommendation in regard to the appropriations in this report are based upon the supposition that the said millage tax will be continued.

Par. 4. The Board of Regents of the institution have given us an itemized statement of amounts asked in way of appropriations which is hereby inserted and made a part of this report as following:

ASKINGS FROM THE THIRTY-FIRST GENERAL ASSEMBLY.

Continuance of millage tax for buildings for 5 years.

Annual appropriations.		
Increase of support fund	$ 35,000	
Support of libraries	10,000	
Increase of repair and contingent fund	28,500	
		$47,500
Special appropriations:		
Purchase of additional lands	50,000	
Wing for hospital and equipment	75,000	
Engineering shops, hydraulic power house, power connection with dam, and equipment	35,000	
Equipment for Natural Science building	35,000	
General equipment and supplies	10,000	
Paving and sidewalks	5,000	
New boiler	3,500	
		213,500
		261,000

Par. 5. The estimate which your committee has made and which they hereinafter recommend as to the appropriation asked for by said board of regents is for the period of only one year, as it is the understanding of your committee that the Thirty-second General Assembly will be required to make the biennial appropriations.

Par. 6. First item of the appropriations in the above schedule which is asked by the institution is that of $35,000 as an increase for the support fund. This fund in the opinion of your committee appears to be almost imperative, as the increase of students in attendance is now something more than four hundred more than when the last biennial appropriations was made, and probably will exceed five hundred by the time that this appropriation is realized, and this alone will require a large amount to be added to the support fund in the way of providing instructors for pupils,

besides there are certain fixed charges for which it will be incumbent upon the management to provide additional amount in the way of fuel, water, firemen, and janitor services, on account of additional buildings which have not yet been provided for.

Your committee has been furnished an estimate of additional support fund which would be required, and after a careful examination of the same have decided that $25,000 at least should be added to the support fund, and hereby recommend that the first item in the above schedule be allowed by the appropriation committee in the sum of $25,000.

Par. 7. The second item in the amount asked in the schedule of annual appropriation is for the support of the library for purchasing additional books and supplies.

For this purpose the regents have asked the sum of $10,000; in the opinion of your committee the sum of $10,000 should be allowed for this purpose, but the same should be a special appropriation, and your committee refer the question of annual appropriations for this purpose to the next General Assembly.

Par. 8. The third item in the schedule referred to is that of $2,500 annually for the increase of repair and contingent fund.

This fund is used for the purpose of keeping the property in repair and also to meet all emergencies not otherwise provided for, and is used to keep University buildings and ground in proper care, and after a careful examination of this fund, your committee feel that the amount of $2,500 should be appropriated thereof and recommend that this item be allowed in full.

Par. 9. Your committee further report in regard to the next item in the above schedule of askings that the $50,000 under the head of special appropriations for the purchase of additional lands for the University is needed in part, and would be needed in the near future, perhaps in the entirety. This item is asked for the purpose of purchasing certain grounds for the purpose of filling out or putting in better shape lands now owned by the state, for which your committee has been furnished a schedule of specific property, and while it is the opinion of your committee that the lands thus described will have to be purchased in the near future.

Your committee believe that only a small portion of said lands need be purchased or contracted for at this time. The property most needed at the present time for the institution is the school property lying east of the hospital building, and can be purchased for the sum of $6000, and your committee recommend the appropriation of $6000 for the purpose of purchasing said property which can be definitely described in the appropriation bill, and while a large amount of other property will be required to be purchased in the future, your committee do not feel the great necessity of doing so now.

Par. 10. The next item in the above schedule under the head of special appropriations is that of $75,000 for additional wing to the hospital building.

Your committee believe that this improvement is very much needed in providing suitable rooms for clinic patients and that unless this building is furnished the institution will suffer by the medical and surgical students by not having ample facilities for clinic work.

It is the opinion of your committee that $75,000 should be appropriated for this purpose. As no contract has yet been let for this building he

whole amount of this appropriation probably could not be used this year, and one-half might be appropriated now and one-half January 1, 1907. Your committee feel that $75,000 should be appropriated or this purpose.

Par. 11. Next item of special appropriation in next schedule is that of $35,000 asked for engineering shops and hydraulic power house, power connection with dam, and equipment. This item is asked for the purpose of using the hydraulic power of water in the river from the dam, which is almost completed, utilizing the same to operate the machinery in the buildings and furnish electric lights and other power applications.

This is a very important item as your comittee are informed that it will produce about two hundred fifty (250) horse power, and will be a great saving to the state in the way of coal and for that reason your committee recommend an appropriation of $35,000 for this purpose.

Par. 12. The next item in the above schedule under special appropriation is that of $35,000 for the equipment of the Natural Science building which is almost complete and which will have to be equipped and supplied in the near future. Your committee has been furnished with an itemized statement of the costs of such equipments but believe that the same can be furnished for the sum of $25,000 and hereby recommend appropriations of $25,000 for such equipment in said Natural Science building.

Par. 13. The next item under special appropriation in the above schedule is that of $10,000 for general equipment and supplies and after a careful examination your committee believes that this sum should be appropriated and hereby recommend the appropriation of $10,000 for the equipment and supplies.

Par. 14. The next item under special appropriations in the above schedule is that of $5000 for paving and sidewalks and after examining the work which is to be done and paving needed at the present time your committee feel that $2500 would be sufficient for this purpose and hereby recommend the sum of $2500 as special appropriation for paving and walks.

Par 15. The next and last item under special appropriation in the above schedule is that of $3500 for new boiler at the power house. After an examination at the power house, your committee is of the opinion that a new boiler should be instituted therein and hereby recommend the appropriation of $3500 for the purchase and installation of said boiler.

Par. 16. The following is a schedule of the items in the above schedule of the appropriations asked which your committee deem of necessity and which we recommend the allowance of by the appropriation committee.

Continuance of millage tax for buildings for 5 years.

Annual appropriations:

Increase of support fund	$ 25,000
Increase of repair and contingent fund	2,500

Special appropriations:

Purchase of additional lands	6,000
Wing for hospital and equipments	75,000
Equipment for natural science building	25,000
Engineering shops, hydraulic power house, power connection with dam equipment	35,000
General equipment and supplies	10,000

Paving and sidewalks	2,500
New boiler	3,500
Support of libraries	10,000
	$194,500

All of which is respectfully to

F. M. HOPKINS,
JAS. H. JAMISON,
R. J. BIXBY,
F. M. EPPERSON,
W. M. MCCREARY.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Turner from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 62, a bill for an act amending section six hundred twenty-two (622) of the code in relation to the severance of territory from towns and cities.

Also.

Senate file No. 52, a bill for an act making appropriation for the benefit of the Industrial School for Boys at Eldora.

D. W. TURNER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled Senate file No. 102, a bill for an act making an appropriation to cover deficiency on account of additional employes of the Thirtieth General Assembly, and to pay the additional employes of the Thirty-first General Assembly.

D. W. TURNER,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turner, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 102, a bill for an act making an appropriation to cover deficiency on account of additional employes of the Thirtieth General Assembly and to pay the additional employes of the Thirty-first General Assembly.

D. W. TURNER,
Chairman Senate Committee.
H. L. SPAULDING,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 62, a bill for an act amending section six hundred twenty-two (622) of the code in relation to the severance of territory from towns and cities.

Also

Senate file No. 52, a bill for an act making appropriation for the benefit of the Industrial School for Boys at Eldora.

D. W. TURNER,
Chairman Senate Committee.
H. L. SPAULDING,
Chairman House Committee.

Ordered passed on file.

THIRD READING OF BILLS.

Senate file No. 64, a bill for an act to repeal section twenty-five hundred ninety (2590) of the code and section twenty-five hundred eighty-nine (2589) of the code and the supplement of the code, and to enact a substitute therefor relative to the examination of pharmacists and their assistants, with report of committee recommending a substitute and passage was taken up, considered, and the report of the committee, adopted.

Senator Molsberry moved that the substitute for the substitute for Senate file No. 64 be adopted.

Adopted.

Senator Molsberry moved that the substitute for the substitute for Senate file No. 64 be substituted for the original bill.

Carried.

Senator Molsberry moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Crawford, Dowell, Dunham, Eckles, Elerick, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—41.

The nays were:

None.

Absent or not voting:

Courtright, Crossley, Ericson, Gale, Garst, Jamison, Saunders, Stookey, Stuckslager—9.

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

Senate file No. 14, a bill for an act to amend section sixteen hundred fifty-seven-e (1657-e) of the supplement to the code, o provide for the election of directors of the Board of Agriculture, with report of committee recommending amendments and passage was taken up and considered.

Senator Lewis moved that the special order set for 11 o'clock today be postponed until Senate file No. 14 be disposed of.

Carried.

Senator Hopkins moved the previous question.

Carried.

The following committee amendments were adopted:

Insert in the first line of the title of the bill between the word "amend" and the word "section" the following "the law as it appears in," amend section one by striking out the word "that" in the first line and inserting in lieu thereof the words "the law as it appears in".

Senator Gillilland moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Crossley, Dowell, Dunham, Elerick, Hasselquist, Hayward, Hughes, Jamison, Kinne, Lewis, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Wade, Warren, Whipple, Young of Lee, Young of Washington—20.

The nays were:

Brooks, Bruce, Crawford, Eckles, Garst, Gillilland, Hogue, Hopkins, Jackson, Jones, Kimmel, Lyons, Molsberry, Newberry, Stookey, Turner, Wilson of Fayette, Winne, Young of Calhoun —19.

Absent or not voting:

Courtright, Ericson, Gale, Harper, Hartshorn, Lambert, Maytag, Saunders, Stuckslager, Taylor, Wilson of Clinton—11.

So the bill having failed to receive a constitutional majority was declared lost.

The Chair announced that he had signed in the presence of the Senate, Senate files No. 52, 62 and 102.

Senate file No. 39, a bill for an act repealing sections eighteen hundred seventy two (1872) and eighteen hundred seventy-three (1873) of the code relating to quarterly statements of state and savings banks and examinations by the auditor of state and providing substitutes therefor, with report of committee recommending amendment and passage was taken up, considered and the report of the committee adopted.

Senator Lewis moved the adoption of the following committee amendment:

Amend by striking out the second word "or" in line six of section two (2) of the original bill and substituting in lieu thereof the word "and."

Adopted.

Senator Stirton offered the following amendment and moved its adoption:

Amend section one (1) of printed bill by inserting after line twenty (20) the following:

"8. The amount of government, state, county and municipal bonds."

Adopted.

Senator Lewis moved to amend section one (1) by renumbering subdivisions 8, 9, 10, 11, 12, 13 and 14 to 9, 10, 11, 12, 13, 14 and 15 respectively.

Carried.

Senator Stirton offered the following amendment and moved its adoption:

Amend section two (2) of the printed bill by inserting after line 35 the following: "9. The amount of government, state, county and municipal bonds."

Adopted.

Senator Lewis moved to amend section two (2) by renumbering subdivsions 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 to 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 respectively.

Carried.

Senator Jackson offered the following amendment and moved its adoption:

Amend the bill by inserting in section one (1) thereof as sub-line or subdivision 15 the following:

"The total amount of libilities to such association on the part of the directors thereof".

The Chair announced as the committee to prepare suitable resolutions commemorative of the life of the late Hon. J. D. McVey, Senators Young of Calhoun, Harper and Lyons.

The Journal of February 13 was taken up, corrected and approved.

Senator Wilson of Fayette moved that the Senate do now adjourn until 9:30 o'clock A. M. tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, February 16, 1906.

Senate met pursuant to adjournment at 9:30 o'clock A. M., President pro-tem Smith presiding.

Prayer was offered by the Rev. A. M. Pilcher of Leon, Iowa.

On request of Senator Lyons leave of absence was granted Senator Wilson of Clinton until Tuesday.

PETITIONS AND MEMORIALS.

Senator Crawford presented petition of members of Educational Division of the Dubuque Women's Club in support of the proposed Child Labor law.

Referred to committee on Labor.

INTRODUCTION OF BILLS.

By Senator Kimmel, Senate file No. 202, a bill for an act relating to the expending of road funds and amending section fifteen hundred forty-eight (1548) of the code.

Read first and second time and referred to committee on Highways.

By Senator Kimmel, Senate file No. 203, a bill for an act relating to the collection of poll tax and amending section fifteen hundred fifty (1550) of the code.

Read first and second time and referred to committee o Highways.

By Senator Crossley, Senate file No. 204, a bill for an act providing for the listing and taxing of mortgages and other liens upon real estate.

Read first and second time and referred to committee on Ways and Means.

Senator Hayward offered the following concurrent resolution which was read and ordered printed in the Journal:

Concurrent resolution relative to the improvement of the Upper Mississippi River:

Whereas, The people of Iowa are deeply interested in the permanent improvement of the Upper Mississippi river, which stream washes the eastern border of our state and which is easily susceptible to such improvement at moderate expense, therefore be it

Resolved by the Senate, the House concurring, That we fully endorse the memorial for the improvement of the said river as presented by the Upper Mississippi River Improvement Association to the committee on rivers and harbors and earnestly ask the senators and representatives from this state to aid in securing the appropriation asked for when a river and harbor bill is formulated and presented to congress.

Laid over.

Senator Gillilland filed the following motion to reconsider:

I move to reconsider the vote by which Senate file No. 14 was defeated on yesterday.

SHIRLEY GILLILLAND.

The Senate resumed consideration of Senate file No. 39 which was under consideration yesterday.

Senator Jackson asked unanimous consent to change his amendment so as to change it from sub-division 15 to sub-division 16.

Consent granted.

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 indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate file No. 145, a bill for an act to provide for the comfort of petit jurors.

C. R. BENEDICT,
Chief Clerk.

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 was asked:

House file No. 190, a bill for an act to amend sections nineteen hundred sixty-eight (1968), nineteen hundred sixty-nine (1969), nineteen hundred seventy-one (1971), nineteen hundred seventy-two (1972) of the code relative to the drainage of lead and zinc mines.

C. R. BENEDICT,
Chief Clerk.

Senator Elerick moved the previous question on the amendment.

Carried.

On the question, Shall the amendment offered by Senator Jackson, printed in yesterday's Journal, be adopted?

A roll call was demanded.

The yeas were:

Bleakly, Brooks, Bruce, Crossley, Eckles, Elerick, Harper, Hasselquist, Jackson, Jamison, Jones, Kinne, Lambert, Lyons, Molsberry, Smith of Des Moines, Spaulding, Stookey, Taylor, Turner, Whipple, Wilson of Fayette, Winne, Young of Calhoun, Young of Washington—25.

The nays were:

Dowell, Dunham, Garst, Gillilland, Hartshorn, Hayward, Hopkins, Hughes, Kimmel, Lewis, Maytag, Newberry, Saunders, Smith of Mitchell, Stirton, Stuckslager, Wade, Warren, Young of Lee—19.

Absent or not voting:

Courtright, Crawford, Ericson, Gale, Hogue, Wilson of Clinton—6.

So the amendment was adopted.

Senator Molsberry offered the following amendment and moved its adoption:

"Amend the bill by striking out section one (1) and the first fourteen (14) lines of section two (2) and insert in lieu thereof the following:

Section 1. That section eighteen hundred seventy-two (1872) of the code be and is hereby repealed and the following enacted in lieu thereof:

"Section 1872. Quarterly Statements. All Savings and State banks shall make a full, clear and accurate statement of the condition of the bank, verified by the oath of the president, vice-president, cashier or assistant cashier, and attested by the signatures of at least three of the directors, or verified by the oath of two of its officers and attested by two of the directors, which statement shall contain:

1. The amount of capital actually paid in;
2. The amount of surplus fund;
3. The amount of undivided profits after deducting expenses and taxes paid;
4. The amount due depositors, as follows:

Individual deposit subject to check;

Demand certificates of deposit;

Time certificates of deposit with rates of interest paid
3 months.....per cent;
6 months.....per cent;
12 months.....per cent;
Savings deposits;
Rate of Interest paid.....per cent;
Dates of interest payments.....;
Certified checks outstanding;
Cashiers checks outstanding;
Amount due to banks;

5. The amount of notes and bills rediscounted (not carried out)
Itemized list of same

6. Bills payable including certificates of deposit for borrowed money;

7. Liabilities other than those above stated;

8. The amount of loans and discounts;

9. The amount of loans, discounts and overdrafts upon which officers and employees of the bank are liable as principals or endorsers giving itemized list of the same;

10. The amount of loans, discounts and overdrafts upon which the directors other than officers and employees are principals or endorsers;

11. The amount of overdrafts;

12. The value of the banking house and lot owned by the bank;

13. The value of the furniture and fixtures;

14. The value of other real estate owned by the bank,
Itemized list of the same;

15. The amount of sight deposits with solvent banks, with itemized list of such banks' location and amount on deposit with each;

16. Amount of checks and other cash items, with list of same excepting checks and drafts on other solvent banks not dishonored;

17. The amount of gold on hand belonging to the bank;

18. The amount of silver and subsidiary coin on hand;

19. The amount of currency on hand belonging to the bank;

20. Other matter of information prescribed by the auditor of state.

Senator Bruce moved the previous question on the amendment and the bill.

Carried.

On the question, Shall the amendment be adopted?

The amendment was lost.

Senator Ericson moved that the time of adjournment be extended until the bill under consideration be disposed of and the Journals corrected.

Carried.

Senator Lewis moved that the rule be suspended, and that the

bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jones, Kinne, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Mitchell, Stirton, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun, Young of Washington—37.

The nays were:

Bruce, Molsberry, Smith of Des Moines, Spaulding, Taylor—5.

Absent or not voting:

Courtright, Crawford, Gale, Hogue, Jamison, Kimmel, Stookey, Wilson of Clinton.—8.

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

The following invitation was received and read:

ON THE CAR "GRASSLAND,"
DES MOINES, February 16, '06

To the President and the Senate of Iowa:

Honorable Gentlemen—The North Wisconsin Farmers Association, composed of over two thousand farmers and other citizens, has in Des Moines, at the Northwestern Station, its exhibit car "Grassland". You are cordially invited to visit this car and examine the agricultural products of new north Wisconsin.

Our Association does not own or handle lands, there is nothing for sale on the car and of course admission is free.

Trusting that this invitation from a large section of the parent state, Wisconsin, to the representatives of the daughter state, Iowa, will be accepted by you collectively or individually, we are,

Very respectfully,

H. S. FAIRALL,
Secretary.
GEO. E. KUNTZ,
H. A. JOHNSON,
W. M. NEUMAN,
M. F. BARTLETT,
J. A. EMUNSON,
of the Association.

The Journal of February 14th was taken up, corrected and approved.

The Journal of February 15th was taken up, corrected and approved.

Senator Warren moved that the Senate do now adjourn until 9:30 o'clock A. M. tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, February 17, 1906.

Senate met pursuant to adjournment at 9:30 o'clock A. M.

President pro tem Smith presiding.

Prayer was offered by the Rev. H. J. Everly of Bloomfield, Iowa.

On request of Senator Bleakly leave of absence was granted Senator Jackson until Monday.

On request of Senator Young of Lee leave of absence was granted Senator Young of Washington until Monday.

PETITIONS AND MEMORIALS.

Senator Harper presented petition of citizens of Blakesburg and vicinity protesting against the passage of the Primary bill.

Referred to committee on Elections.

Senator Elerick presented petition of eighty-four members of the Iowa National Guard and citizens of Iowa in support of the Militia bill and favoring the increase of the appropriation to one hundred thousand dollars.

Referred to committee on Military.

Senator Kinne presented petition of one hundred and eighteen citizens favoring the passage of the Primary Election bill the Anti-Pass bill and the adoption of the resolution, calling upon Congress to enact railroad rate legislation favored by President Roosevelt.

Referred to committee on Elections.

Senator Harper presented petition of the United Carpenters and Joiners Union, No. 767, of Ottumwa, protesting against the Exemption bill by Greene, known as House file No. 183.

Referred to committee on Labor.

Senator Newberry presented petition of citizens of Clayton county favoring the giving to the Governor the power to appoint a civil engineer in each Congressional District to furnish estimate of cost of building bridges, etc., to the Board of County Supervisors.

Referred to committee on Highways.

Senator Lambert presented petition of members of the Iowa National Guard and citizens of Iowa favoring the Military bill and an increase in the appropriation to one-hundred thousand dollars.

Referred to committee on Military.

Senator Taylor presented petition of one hundred twenty-five constituents favoring the Woman Suffrage amendment.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Maytag presented petition of citizens of Baxter, Iowa, the passage of a law prohibiting Sunday base ball.

Referred to committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Hartshorn, Senate file No. 205, a bill for an act to appropriate the sum of seventy-five dollars to pay Henry Eyler for money advanced by him to the State of Iowa, as rent for certain lake beds situated in Wright county, Iowa.

Read first and second time and referred to committee on Claims.

By Senator Smith of Des Moines, Senate file No. 206, a bill for an act to amend section seven hundred twenty-five (725) chapter four (4), title five (5) of the code referring to general powers.

Read first and second time and referred to committee on Judiciary.

By Senator Elerick, Senate file No. 207, a bill for an act to amend chapter sixteen-a (16-a) title twelve (12) as it appears in the supplement to the code.

Read first and second time and referred to committee on Agriculture.

By Senator Smith of Des Moines, Senate file No. 208, a bill for an act to amend section twenty one hundred fifty-eight (2158) chapter eight (8) title ten (10) of the code, referring to telegraph and telephone lines.

Read first and second time and referred to committee on Cities and Towns.

By Senator Young of Calhoun, Senate file No. 209, a bill for an act extending all existing franchises of telephone, telegraph and district telegraph companies so they will expire at the same time.

Read first and second time and referred to committee on Telegraph and Telephones.

By Senator Hayward, Senate file No. 210, a bill for an act to repeal section twenty-seven hundred sixty-three (2763) of the code relating to notices of special meetings of Boards of School districts and to enact a substitute therefor.

Read first and second time and referred to committee on Schools.

By Senator Hayward, Senate file No. 211, a bill for an act to repeal the law as it appears in section twenty-eight hundred twelve-b (2812-b) of the supplement to the code,relating to school district bonds and to enact a substitute therefor.

Read first and second time and referred to committee on Schools.

By Senator Whipple, Senate file No. 212, a bill for an act to provide for the investment of the funds of fraternal beneficiary societies, orders or associations, and to provide that the same shall be deposited with the Auditor of State.

Read first and second time and referred to committee on Insurance.

By Senator Jones, Senate file No. 213, a bill for an act to quiet the title to the north half of the north-west quarter and the southwest quarter of the northwest quarter of section eleven (11), township seventy-four (74) north of range seventeen (17) west of the fifth principal meridian, Mahaska county, Iowa, and to authorize the issuance of patent covering the north half of the northwest quarter of section eleven (11) township seventy-four (74) north of range seventeen (17) west of the fifth principal meridian, Mahaska county, Iowa.

Read first and second time and referred to committee on Judiciary.

By Senator Garst, Senate file No. 214, a bill for an act to provide for the organization of consolidated independent districts additional to title thirteen (13), chapter fourteen (14) of the code.

Read first and second time and referred to committee on Schools.

By Senator Brooks, Senate file No. 215, a bill for an act to provide for the renewal or extension of the corporate period of the state and savings banks.

Read first and second time and referred to committee on Banks and Banking.

HOUSE MESSAGES CONSIDERED.

House indefinitely postponed Senate file No. 145, a bill for an act to provide for the comfort of petit jurors.

Passed on file.

House file No. 190, a bill for an act to amend sections nineteen hundred sixty-eight (1968), nineteen hundred sixty-nine (1969) nineteen hundred seventy-one (1971) and nineteen hundred seventy-two (1972) of the code relative to the drainage of lead and zinc mines.

Read first and second time and referred to committee on Mines and Mining.

REPORT OF COMMITTEE.

Senator Hartshorn, from the committee on Printing, submitted the following report:

MR. PRESIDENT—Your committee on printing to whom was referred Senate file No. 165 a bill for an act to amend section one hundred thirty-eight (138) of the code in relation to printing the docket for 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 same do pass.

F. C. HARTSHORN,
Chairman.

Ordered passed on file.

Senator Dowell, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 23, a bill for an act providing limitations for the commence-

ment of actions relative to real property additional to chapter two (2), title eighteen (XVIII) of the code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend section two (2) by inserting after the word "yet" in the fifth line thereof the words "more than ten years past".

Amend the bill by striking out section 3; and when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 184, a bill for an act to legalize the acts of the Town Council of the Town of Ida Grove, Iowa, relating to the erection of a public building and fire station in the incorporated town of Ida Grove, Iowa, and the subsequent acts of the officers of said town in relation thereto, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 12 a bill for an act relating to the time of bringing actions against estates of decedents and additional to section thirty-four hundred forty-seven (3447) of the code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 201, a bill for an act to legalize the ordinances, acts, resolutions, and amendments to the ordinances passed by the City Council of Winterset, Iowa, and to legalize all the acts of the incorporated city of Winterset, in the County of Madison, State of Iowa, and to legalize all the official acts of the city officials of Winterset, Iowa, acting as such officials, beg leave to report that 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. C. DOWELL,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT:

Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate file No. 62, a bill for an act amending section six hundred twenty-two (622) of the code in relation to the severance of the territory from towns and cities

Also:

Senate file No. 52, a bill for an act making appropriation for the benefit of the industrial school for boys at Eldora.

Also:

Senate file No. 102, a bill for an act making an appropriation to cover the deficiency on account of additional employees of the Thirtieth General Assembly.

D. W. TURNER,
Chairman.

By unanimous consent upon request of Senator Warren, consideration of special order No. 2, Senate file No. 30 was passed and set for special order at 10:30 o'clock A. M. Tuesday, February 20, 1906.

THIRD READING OF BILLS.

Senate file No. 122. A bill for an act to amend section one thousand four hundred sixty-seven (1467) of the code relating to assessment and collection of collateral inheritance tax, with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

Senator Ericson moved the adoption of the following committee amendments:

Amend the title by inserting after the word "seven" in the second line the figures 1467 in parenthesis.

Amend section one of the bill by striking out all of said section and inserting the following in lieu thereof to wit:

Section 1. That section one thousand four hundred sixty-seven (1467) of the code be amended by inserting a comma after the word "institutions" in the ninth line of said section and the following words to wit "including hospitals, public libraries and public art galleries kept open to the free use of the public not less than three days of each week.

Adopted.

Senator Ericson moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Bleakly, Brooks, Bruce, Crossley, Dowell, Eckles, Elerick,

Ericson, Garst, Gillilland, Harper, Hartshorn, Hasslequist, Hayward, Hopkins, Hughes, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stookey, Stuckslager Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee—39.

The nays were:

None.

Absent or not voting:

Courtright, Crawford, Dunham, Gale, Hogue, Jackson, Saunders, Stirton, Wilson of Clinton, Young of Calhoun, Young of Washington—11.

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

Senate file No. 135, a bill for an act to amend section two thousand fifty-two (2052) of the code with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

Senator Winne moved the adoption of the following committee amendments:

Amend the title by striking out the period, at the end of same and adding the following thereto, "relating to recording fees in the office of secretary of state."

Amend section one of the bill by inserting after the words "two thousand fifty two" in the first line thereof the figures 2052 in parenthesis.

Also strike out the word and figures "of 1897" in the second line of section one of the bill.

Also add the letter "s" to the word "declaration" in the fifth line of section one of the bill.

Adopted.

Senator Winne moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Crossley, Dowell, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Jones, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee.—38.

The nays were:

None.

Absent or not voting:

Courtright, Crawford, Dunham, Gale, Hogue, Jackson, Kimmel, Saunders, Stirton, Wilson of Clinton, Young of Calhoun, Young of Washington.—12.

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

House file No. 49, a bill for an act to amend section twenty-five hundred seventy-six (2576) of the code, so as to change the dates of the meetings of the State Board of Medical Examiners, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

House file No. 59, a bill for an act to amend section twenty-five hundred sixty-seven (2567) of the code, so as to include the reporting of divorces and to change the time of reporting marriages and divorces to the State Board of Health, was taken up and considered.

Senator Young of Calhoun County, 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:

Bleakly, Brooks, Bruce, Dowell, Eckles, Elerick, Ericson, Gillilland, Harper, Hartshorn, Hasselquist, Hopkins, Hughes, Jamison, Jones, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun—36.

The nays were:

None.

Absent or not voting:

Courtright, Crawford, Crossley, Dunham, Gale, Garst, Hayward, Hogue, Jackson, Kimmel, Saunders, Stirton, Wilson of Clinton, Young of Washington—14.

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

Senate file No. 104, a bill for an act making an appropriation to defray the mileage and expenses of the members of the two joint committees appointed by the Thirtieth General Assembly under joint resolutions originating in the Senate numbered 6 and 7 was taken up and considered.

The Chair announced the Senate as in committee of the whole.

The Chair announced the Senate as in regular session.

The chair announced that the committee of the whole recommend the concurrence of the following House amendments:

Amend by striking out the words and figures "two thousand five hundred seventy-seven and thirty-nine one-hundredths dollars ($2577.39)" in lines two and three of the printed bill and inserting the words and figures "two thousand five hundred ninety-two and eleven one-hundredths dollars ($2592.11)" in lieu thereof; also strike out the figures "$54.35" in line thirteen (13) and insert the figures "$69.07" in lieu thereof.

Senator Garst moved that the Senate concur in the House amendments.

The yeas were:

Bleakly, Brooks, Bruce, Crossley, Dowell, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stookey, Stuckslager, Taylor, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun—39

The nays were:

None.

Absent or not voting:

Courtright, Crawford, Dunham, Gale, Hogue, Jackson, Saunders, Stirton, Turner, Wilson of Clinton, Young of Washington—11

So the House amendments were concurred in.

Senator Lewis moved that Senate file No. 194 be passed for the present, and that it be set for a special order to follow Senate file No. 30 Tuesday morning, February 20, 1906.

Carried.

Senate file No. 154, a bill for an act to amend section four thousand and twenty-five (4025) of the code in relation to notice to defendant in sales under execution, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bruce moved that the rule be suspended, that the bill be considered engrossed, and read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun—41.

The nays were:

None.

Absent or not voting:

Courtright, Crawford, Gale, Hogue, Jackson, Saunders, Stirton, Wilson of Clinton, Young of Washington—9.

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

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT:

I am hereby 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. 124—a bill for an act to repeal section two thousand four hundred and seventy-four (2474) of the Code relating to reports and returns to the bureau of labor statistics, and to enact a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

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;

House file No. 19, a bill for an act to regulate the use and sale of fire crackers, toy pistols and other explosives.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 125, a bill for an act to amend section fourteen hundred sixty-seven (1467) of the code relative to assessment and collection of collateral inheritance tax.

C. R BENEDICT,
Chief Clerk.

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:

House file No. 98, a bill for an act making an appropriation for the purchase of twenty-five thousand (25,000) railroad commissioners official maps to be distributed by the members of the General Assembly and railroad Commissioners.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 60 ,a bill for an act to amend section one thousand four hundred seven (1407) of the code relating to the collection of delinquent taxes.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 209, a bill for an act relating to the assessment and taxation of property in special charter cities, and providing that section one thousand three hundred five (1305) of the code shall not apply to such cities.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 26, a bill for an act to repeal chapter seventy-four (74) of the laws of the Thirtieth General Assembly relating to common carriers and additional to section twenty hundred seventy-four (2074) of the code and to provide a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

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. 138, a bill for an act to amend section four thousand eight hundred and twenty-one (4821) of the code, relating to hunting on enclosed land.

C. R. BENEDICT,
Chief Clerk.

SENATE RESUMED THIRD READING OF BILLS.

Senate file No. 201, a bill for an act to legalize the ordinances, acts, resolutions, and amendments to the ordinances passed by the City Council of Winterset, Iowa, and to legalize all the acts of the incorporated city of Winterset in the county of Madison, state of Iowa, and to legalize all the official acts of the city officials of Winterset, Iowa, acting as such officials, with report of committee recommending passage was taken up, considered, and the report of the committee adopted. Senator Crossley offered the following amendments and moved their adoption.

1. Amend the title by inserting after the word "acts" in the first line the word "proceedings" and after the word "acts" the words "and elections" in the third line of the title.

2. Amend preamble by inserting after the word "acts" in the second line the word "proceedings" and after the word "acts" in the third line of the preamble insert the words "and elections" and after the word acts in the fifth line the words "and elections".

3. Amend second paragraph by inserting after the word "acts" in the first line the words "and elections". Amend second paragraph by inserting after the word "acts" in the second line the word "proceedings".

4. Amend third paragraph by inserting after the word "acts" in the first line the words "and elections", and to insert after the word "acts" in the second line the word "proceedings".

5. Amend section one by inserting after the word "acts" in the first line the words "and elections". By inserting after the word "acts" in the second line the word "proceedings". By inserting after the word "acts" in the seventh line the words "elections, proceedings".

Adopted.

Senator Crossley moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun—41.

The nays were:

None.

Absent or not voting:

Courtright, Crawford, Gale, Hogue, Jackson, Saunders, Stirton, Wilson of Clinton, Young of Washington—9.

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

Senator Jamison moved that when the Senate adjourn today it be until 2 o'clock P. M. Monday.

Carried.

House file No. 32, a bill for an act to amend chapter ten (10) as it appears in title four (4) of the code relating to township and township officers, with report of committee recommending a substitute was taken up, considered, and the report of the committee adopted.

Senator Molsberry moved that the substitute for House file No. 32 be substituted for the original bill.

Adopted.

Senator Molsberry moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Crossley, Dowell, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Young of Lee, Young of Calhoun—40.

The yeas were:

None.

Absent or not voting:

Courtright, Crawford, Dunham, Gale, Hogue, Jackson, Saunders, Wilson of Clinton, Winne, Young of Washington—10.

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

Senate Crossley moved that Senate file No. 2 be made a special order for February 26th, at 2:30 o'clock P. M.

Carried.

REPORTS OF COMMITTEES.

Senator Dunham, from the committee on suppression of intemperance, submitted the following report:

MR. PRESIDENT: Your committee on suppression of intemperance to whom was referred House file No. 43—a bill for an act to amend section twenty-three hundred ninety-four (2394) of the code, relating to requests to purchase 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 same be indefinitely postponed.

GEO. W. DUNHAM,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on suppression of intemperence to whom was referred Senate file No. 34, a bill for an act to amend section twenty-four hundred nineteen (2419) of the code, and to provide for the reshipment 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 same be indefinitely postponed.

GEO. W. DUNHAM,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT— Your committee on Suppression of Intemperance to whom was referred Senate file No. 11 a bill for an act to provide for the payment of an annual occupation tax for the business of soliciting or taking orders for the sale of intoxicating liquors, except from those who are legally authorized by law to make, manufacture, handle or sell the same, and providing for the violation thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

GEO. W. DUNHAM,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Whipple from the committee on Insurance submitted the following report:

MR. PRESIDENT—Your committee on Insurance, to whom was referred Senate file No. 68, a bill for an act to amend the law as it appears in section

seventeen hundred nine (1709) of the supplement to the code relating to insurance other than life, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. P. WHIPPLE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT: Your Committee on Insurance, to whom was referred substitute for House file No. 5, a bill for an act to amend section seventeen hundred nine (1709) of the code, relating to insurance other than life, beg leave to report that it has had the same under consideration and recommend that the following amendments be made thereto and when so amended that the substitute do pass:

Amend the title of the substituted bill so as to read as follows:

A BILL for an act to amend the law as it appears in section seventeen hundred nine (1709) of the supplement to the code and to repeal the law as it appears in section seventeen hundred ten (1710) of the supplement to the code and enact a substitute therefor, and relating to insurance other than life.

Insert after the figures and parenthesis "(1709)" in line two (2) of section one (1) of the substituted bill the words "of the."

Insert before the word "That" in line eight (8) of section one (1) of the substituted bill the word, figure and period "Section 2."

Insert after the word "That" in said line eight (8) of the substituted bill the words "the law which appears as" and after the figures and parenthesis "(1710)" in said line the words "of the".

"Strike out of line eighteen (18) of section one (1) of the substituted bill the words and commas "provided, however, that" and insert in lieu thereof the words "except as in this section provided as follows" and insert a colon after the word "follows" and change the letter "a" in the word "any" to a capital.

That the substitute bill be further amended by changing the period after the word "section" in the last line of the first page of the substituted bill to a colon. That the letter "a" of the first word of the second page of the substituted bill be changed to a lower case letter and that the same word be preceded by the word "and" That the period at the end of line ten (10) of the second page of the substituted bill be changed to a semicolon and the letter "a" in the first word "any" in line eleven (11) be changed to a lower case letter and the same word be preceded by the word "and".

That the substituted bill be further amended by changing the comma after the word "thereat" in line three (3) of page three (3) of the substituted bill to a period and that the words, commas and period "and against the loss of moneys, or securities in the course of transportation," in lines four (4) and five (5) of the third page of the substituted bill be stricken out.

W. P. WHIPPLE,
Chairman.

Ordered passed on file.

Senator Brooks, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT:—Your committee on Agriculture to whom was referred Senate file No. 156, a bill for an act to amend section forty-nine hundred eighty-nine (4989) and forty-nine hundred ninty (4990) of the code, relative to the sale of adulterated milk and cream beg leave to report that 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. T. BROOKS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Agriculture to whom was referred Senate file No. 157 a bill for an act defining the powers of the State Dairy Commissioner, his deputy and assistants beg leave to report that 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. T. BROOKS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Agriculture to whom was referred Senate file No. 163 a bill for an act prohibiting manipulation of the Babcock test and providing punishment 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.

JNO. T. BROOKS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT:—Your committee on Agriculture to whom was referred Senate file No. 187, a bill for an act to amend division twenty (20) section four hundred twenty two (422) of the code relating to power 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 the same do pass.

JNO. T. BROOKS,
Chairman.

Ordered passed on file.

Senator Dowell was called to the chair at 11:10 o'clock A. M.

INTRODUCTION OF BILLS.

By Senator Smith of Mitchell, Senate file No. 216, a bill for an act to amend chapter eighty (80) of the acts of the Thirtieth General Assembly in regard to the admission of patients in hospitals for inebriates.

Read first and second time and referred to committee on Public Health.

By unanimous consent upon request of Senator Hayward concurrent resolution relative to the improvement of the upper Mississippi River was taken up for consideration.

Senator Hayward moved the adoption of the concurrent resolution.

Adopted.

HOUSE MESSAGES CONSIDERED.

House file No. 138, a bill for an act to amend section four thousand eight hundred and twenty-one (4821) of the code relating to hunting on inclosed land.

Read first and second time.

Senator Molsberry moved that House file No. 138 be taken up for consideration at this time.

Carried.

Senator Molsberry moved that House file No. 138 be substituted for Senate file No. 114.

Carried.

THIRD READING OF BILLS.

House file No. 138, a bill for an act to amend section forty-eight hnndred twenty-one of the code, relating to hunting on inclosed land, was read for information. Senator Molsberry offered the following amendment and moved its adoption.

Strike out from line two section two the words "without expense to the state".

Senator Molsberry moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Bleakly, Brooks, Bruce, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Harper, Hartshorn, Hasselquist, Hayward, Hughes Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsbery, Smith of Des Moines, Smith of Mitchell, Spaulding, Stookey, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun—33

The nays were:

Stirton—1.

Absent or not voting:

Courtright, Crawford, Crossley, Gale, Gillilland, Hogue, Hopkins,

Jackson, Jamison, Newberry, Saunders, Stuckslager, Taylor, Turner, Wilson of Clinton, Young of Washington—16.

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

On request of Senator Whipple leave of absence was granted Senator Gillilland for the remainder of the day.

On request of Senator Stookey leave of absence was granted Senator Jamison for the remainder of the day.

Senator Molsberry moved that Senate file No. 114 be indefinitely postponed.

Carried.

So Senate file No. 114 was indefinitely postponed.

Senate file No. 55, a bill for an act to amend section one (1) chapter ninety-four (94) laws of the Thirtieth General Assembly relative to taking fish from the lakes of the state, with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

Senator Kinne moved the adoption of the following committee amendments:

Amend by striking out the comma after the word "gar" and inserting in lieu thereof the word "and"; further amend by striking out the words "and sheepheads" in the same line.

Adopted.

Senator Kinne moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Eckles, Elerick, Ericson, Garst, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun—34.

The nays were:

None.

Absent or not voting:

Courtright, Crawford, Crossley, Dowell, Dunham, Gale, Gillilland, Hogue, Jackson, Jamison, Molsberry, Newberry, Saunders, Taylor, Wilson of Clinton, Young of Washington—16.

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

President pro tem Smith resumed the chair at 11:30 A. M.

Senate file No. 61, a bill for an act to amend section seven hundred thirty-two (732) of the supplement to the code, relating to the levy of taxes for library purposes, with report of committee recommending amendments and passage was taken up, considered and the report of the committee adopted.

Senator Ericson moved the adoption of the following committee amendments.

Amend the title by inserting, in the first line thereof, after the word "amend" the words "the law as it appears in."

Also amend section one (1) by inserting, in the first line thereof, after the word "amend" the words "the law as it appears in."

Adopted.

Senator Crossley offered the following amendment and moved its adoption.

Amend the bill by adding to section one (1) the words and by inserting after the word "all" in the third line of section seven hundred and thirty-two the word "other."

Adopted.

Senator Ericson moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were:

Bruce, Crossley, Dunham, Eckles, Ericson, Garst, Harper, Hasselquist, Hayward, Hughes, Kimmel, Kinne, Lewis, Maytag, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Calhoun—27.

The nays were:

Bleakly, Brooks, Elerick, Hartshorn—4.

Absent or not voting:

Courtright, Crawford, Dowell, Gale, Gillilland, Hogue, Hopkins, Jackson, Jamison, Jones, Lambert. Lyons, Molsberry, Newberry, Saunders, Taylor, Wilson of Clinton, Young of Lee, Young of Washington—19.

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

The Journal of yesterday was taken up, corrected and approved.

Senator Elerick moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, February 19, 1906.

Senate met pursuant to adjournment at 2 o'clock P. M., President Herriott presiding.

Prayer was offered by the Rev. Eleanor Gordon of Des Moines, Iowa.

On request of Senator Young of Calhoun leave of absence was granted Senator Brooks for the day.

On request of Senator Harper leave of absence was granted Senator Kinne indefinitely.

PETITIONS AND MEMORIALS.

Senator Jones presented petition of Local Union No. 178 Union Mine Workers of America protesting against House file No. 133 prohibiting picketing, also claiming that a laborer's wages should be exempt to the same amount as a homestead.

Referred to committee on Judiciary.

Senator Jones presented petition of Local Union No. 426, United Mine Workers of America, protesting against the passage of House file No. 133 prohibiting picketing, and against House file No 183, making homestead to amount of $5,000.00 exempt.

Referred to committee on Judiciary.

Senator Smith of Des Moines presented petition of members, of Iowa National Guard and citizens favoring the passage of the Militia bill and the increase of the appropriation to $100,000.00.

Referred to committee on Military.

Senator Garst presented petition of citizens of Iowa favoring the passage of the State Marshal bill.

Referred to committee on Suppression of Intemperance.

Senator Stuckslager presented petition of members of the Linn County Retail Druggists Association protesting against all bills for the regulation of the manufacture and sale of patent and proprietary medicines.

Referred to committee on Public Health.

Senator Molsberry presented petition of members of Local Union No. 120 Cigarmakers, International Union of America, of Muscatine favoring the passage of the Child Labor bill.

Referred to committee on Judiciary.

Senator Molsberry presented petition of the Muscatine Trades and Labor Assembly favoring the passage of the Child Labor bill.

Referred to committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Saunders, Senate file No. 217, a bill for an act to provide for the participation of the State of Iowa in the Jamestown Tercentennial Exposition, to be held on or near the waters of Hampton roads, in the state of Virginia, in the year nineteen hundred seven, in commemoration of the first permanent settlement made in the United States, by English speaking people in the year sixteen hundred seven.

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

By Senator Courtright, Senate file No. 218, a bill for an act to amend section eight hundred fifty-five (855) of the code, relative to park commissioners and their powers.

Read first and second time and referred to committee on Judiciary.

By Senator Courtright, Senate file No. 219, a bill for an act to amend section five thousand forty (5040) of the code, relative to breach of the Sabbath.

Read first and second time and referred to committee on Judiciary.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Senate file No. 8, a bill for act to prevent the adulteration, misbranding and imitation of foods, to change the name of the office of "State Dairy Commissioner" to that of "State Food and Dairy Commissioner," and to define his duties and repealing sections forty-nine hundred eighty-two (4982), forty nine hundred eighty-four (4984), forty-nine hundred eighty-seven (4987), forty-nine hundred ninety-three (4993), forty-nine hundred ninety-four (4994), forty-nine hundred nintey-five (4995), forty-nine hundred ninety-six (4996(, forty-nine hundred ninety-seven (4997), forty-nine hundred ninety-eight (4998) of the code, and sections forty-nine hundred eighty-four-A (4984-A) and forty-nine hundred eighty-four-B (4984-B), as they appear in the supplement to the code; and amending section forty-nine hundred eighty-six (4986) of the code, and making an appropriation for the purpose of carrying out the provisions of the act.

C. R. BENEDICT
Chief Clerk.

The following communication was received and read:

DES MOINES, February 19, 1906.

To the General Assembly of the State of Iowa:

The presiding officer and members of the General Assembly and their families are invited to attend a presentation of the cantata entitled "Frolic of the Fairies" to be given by the girls of the Industrial School at Mitchellville on the evening on Wednesday, February 21st.

Cars which leave the transfer station in Des Moines at 7:15 o'clock P. M. will arrive in Mitchellville in time for the performance. All who expect to attend are requested to notify the Board of Control by noon of Tuesday in order that arrangements for cars may be made.

Very respectfully,
F. P. FITZGERALD,
Superintendent.

Fare for round trip 55c.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Turner, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 40, a bill for an act providing for a penalty for embezzlement by officers and employees of banks and amendatory of section eighteen hundred sixty-nine (1869) of the code.

Also:

Senate file No. 81, a bill for an act to amend section twenty-six hundred eighty-five (2685) of the code and the supplement to the code relating to admission to the Iowa Soldiers' Orphans' Home.

Also:

Senate file No. 89, a bill for an act to amend sections nineteen hundred seventy-six (1976), nineteen hundred seventy seven (1977), nineteen hundred seventy nine (1979), nineteen hundred eighty-two (1982), nineteen hundred eighty-four (1984) and nineteen hundred eighty-six (1986) of the code relating to levees built by the United States.

D. W. TURNER,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turner from the joint committee on enrolled bills, submitted the following report:

MR. PRESIDENT:—Your joint committee on enrolled bills respectfully report that they have examined and find correctly enrolled, Senate file No. 40 a bill for an Act providing for a penalty for embezzlement by officers and employes of banks and amendatory of section eighteen hundred sixty-nine (1869) of the code.

Also:

Senate file No. 81, a bill for an act to amend section twenty-six hundred eighty-five (2685) of the code and the supplement to the code relating to admission to the Iowa Soldiers' Orphans' Home.

Also:

Senate file No. 89, a bill for an act to amend section nineteen hundred seventy-six (1976), nineteen hundred seventy-seven (1977), nineteen hundred seventy-nine (1979), nineteen hundred eighty-two (1982,) nineteen hundred eighty-four (1984), nineteen hnndred eighty-six (1986) of the code relating to levees built by the United States.

D. W. TURNER,
Chairman Senate Committee.
H. L. SPAULDING,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate file No. 40, a bill for an act to amend section eighteen hundred sixty-nine (1869) of the code and providing a penalty for the crime of embezzlement stated therein.

Also:

Senate file No. 81, a bill for an act to amend the law as it appears in section twenty-six hundred eighty-five (2685) of the supplement to the code relating to admission to the Iowa Soldiers' Orphans' home.

Also:

Senate file No. 89, a bill for an act to repeal sections nineteen hundred seventy-six (1976), nineteen hundred seventy-nine (1979), nineteen hundred eighty-two (1982), and nineteen hundred eighty-four (1984) of the code and to enact substitutes therefor, and to amend sections nineteen hundred seventy-seven (1977) and nineteen hundred eighty-six (1986) of the code, relating to levees built by the United States.

D. W. TURNER,
Chairman.

HOUSE MESSAGES CONSIDERED.

House file No. 124, a bill for an act to repeal section twenty-four hundred seventy-four (2474) of the code relating to reports and returns to the bureau of labor statistics, and to enact a substitute therefor.

Read first and second time and referred to committee on Labor.

House file No. 19, a bill for an act to regulate the use and sale of fire crackers, toy pistols and other explosives.

Read first and second time and referred to committee on Judiciary.

Senate file No. 125, a bill for an act to amend section fourteen hundred sixty-seven (1467) of the code relative to assessment and collection of collateral inheritance tax.

Ordered passed on file.

House file No. 98, a bill for an act making an appropriation for the purchase of twenty-five hundred Railroad Commissioners official maps to be distributed by the members of the General Assembly and Railroad Commissioners.

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

Senate file No. 60, a bill for an act to amend section fourteen hundred seven of the code relating to the collection of delinquent taxes.

Ordered passed on file.

House file No. 208, a bill for an act relating to the assessment and taxation of property in special charter cities, and providing

that section thirteen hundred five (1305) of the code shall not apply to such cities.

Read first and second time and referred to committee on Cities and Towns.

House file No. 26, a bill for an act to repeal chapter seventy four (74) of the laws of the Thirtieth General Assembly relating to common carriers and additional to section two thousand seventy-four (2074) of the code and to provide a substitute therefor.

Read first and second time and referred to committee on Railroads.

Senate file No. 8, a bill for an act to prevent the adulteration, misbranding and imitation of foods, to change the name of the office of "State Dairy Commissioner" to that of "State Food and Dairy Commissioner," and to define his duties; and repealing sections forty-nine hundred eighty-two (4982), forty-nine hundred eighty-four (4984), forty-nine hundred eighty-seven (4987), forty-nine hundred ninety-three (4993), forty-nine hundred ninety-four (4994), forty-nine hundred ninety-five (4995), forty-nine hundred ninety-six (4996), forty-nine hundred ninety-seven (4997), forty-nine hundred ninety-eight (4998), of the code, and sections forty-nine hundred eighty-four-A (4984-A) and forty-nine hundred eighty-four-B, (4984-B) as they appear in the supplement to the code; and amending section forty-nine hundred eighty-six (4986) of the code, and making an appropriation for the purpose of carrying out the provisions of the act.

Ordered passed on file.

REPORTS OF COMMITTEES

Senator Crossley from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools to whom was referred Senate file No. 27. A bill for an act to amend sections twenty-seven hundred thirty-nine (2739), twenty-seven hundred fifty-four, (2754), twenty-seven hundred fifty-seven (2757), twenty-seven hundred sixty-two (2762), twenty-seven hundred sixty-four (2764), twenty-seven hundred sixty-five (2765), twenty-seven hundred sixty-nine (2769), twenty-seven hundred seventy-three (2773), twenty-seven hundred eighty-five (2785), twenty-seven hundred ninety-five (2795), twenty-eight hundred (2800), twenty-eight hundred one (2801), twenty-eight hundred two (2802), and twenty-eight hundred six (2806), of the code and supplement to the code, relative to the school year, organizations and annual meeting of school boards and reports of school

officers beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following substitute be enacted in lieu thereof and when so substituted the bill do pass.

JAMES J. CROSSLEY,
Chairman

Ordered passed on file.

SUBSTITUTE FOR SENATE FILE NO. 27.

A BILL for an act to amend the law as it appears in sections twenty-seven hundred thirty-nine (2739); twenty-seven hundred sixty-two (2762); twenty-seven hundred sixty-four (2764); twenty-seven hundred sixty-five (2765); twenty-seven hundred sixty-nine (2769); twenty-seven hundred seventy-three (2773); twenty-seven hundred eighty-five (2785); twenty-eight hundred (2800); twenty-eight hundred one (2801); and twenty-eight hundred two (2802), of the code and the law as it appears in sections twenty-seven hundred fifty-four (2754) and twenty-eight hundred six (2806) of the supplement to the code; and to repeal sections twenty-seven hundred fifty-seven (2757) and twenty-seven hundred ninety-three (2793) of the code and enact substitutes therefor: Relative to the school year, organization and meetings of school boards, reports of school officers and the changing of boundaries of school corporations.

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

Section 1 That section twenty-seven hundred thirty-nine (2739) of the code be and the same is hereby amended by striking out the words "first Tuesday in October" in line two and inserting in lieu thereof the words "last Tuesday in August."

Section 2. That the law as it appears in section twenty-seven hundred fifty-four (2754) of the supplement to the code be and the same is hereby amended by striking out the words "third Monday in March" in the nineteenth line and inserting in lieu thereof the words "first day of July, unless that date falls on Sunday, in which case on the day following."

Section 3. That section twenty-seven hundred fifty-seven (2757) of the code be and the same is hereby repealed and the following enacted in lieu thereof: "The board of directors of all independent city, town or village corporations shall organize on the third Monday in March, and those of all other school corporations on the first day of July, unless that date falls on Sunday, in which case on the day following. Such organization shall be effected by the election of a president from the members of the board, who shall be entitled to vote as a member. Such special meetings may be held as may be determined by the board, or called by the president, or by the secretary upon the written request of a majority of the members of the board, upon notice specifying the time and place, delivered to each member in person, but attendance shall be a waiver of notice. Such meetings shall be held at any place within the civil township in which the corporation is situated.

"On the first day of July, unless that date falls on Sunday, in which case on the day following, the board of all independent city, town and village corporations and the retiring board in all other school corporations shall meet, examine the books of, and settle with the secretary and treas-

urer for the year ending on the thirtieth day of June preceding, and for the transaction of such other business as may properly come before it. On the same day the board of each independent city, town and village corporation, except as provided in section twenty-seven hundred fifty-four (2754) of this chapter, and the new board of every other school corporation shall elect from outside the board a secretary and treasurer, but in independent districts no teacher or other employe of the board shall be eligible as secretary. All officers shall be elected by ballot and the vote shall be recorded by the secretary. Should the secretary or treasurer fail to report as provided in sections twenty-seven hundred sixty-five (2765) and twenty-seven hundred sixty-nine (2769) of this chapter, it shall be the duty of the new board to take any action necessary to secure a proper settlement."

Section 4. That section twenty-seven hundred sixty-two (2762) of the code be and the same is hereby amended by striking out the words "the March and September meetings" in lines six and seven and inserting in lieu thereof the words "each regular annual meeting".

Section 5. That section twenty-seven hundred sixty-four (2764) of the code be and the same is hereby amended by striking out the words "September and the third Monday in September" in line two and inserting in lieu thereof the words "June and the first day of July".

Section 6. That section twenty-seven hundred sixty-five (2765) of the code be and the same is hereby amended by striking out the words "third Monday in September of" in the third line and inserting in lieu thereof the words "regular July meeting in."

Section 7. That section twenty-seven hundred sixty-nine (2769) of the code be and the same is hereby amended by striking out the words "on the third Monday in September" in the fourth line and inserting in lieu thereof the words "at its regular July meeting."

Section 8. That section twenty-seven hundred seventy-three (2773), of the code be and the same is hereby amended by striking out the words "third Monday in March" in lines ten and eleven and inserting in lieu thereof the words "first of July."

Section 9. That section twenty-seven hundred eighty-five (2785) of the code be and the same is hereby amended by striking out the words "tenth days of September" in the eight line and inserting in lieu thereof the words "fifteenth days of June" and by striking out the word "fifteenth" in the tenth line and inserting in lieu thereof the word "twentieth".

Section 10. That section twenty-seven hundred ninety-three (2793) of the code be and the same is hereby repealed, and the following enacted in lieu thereof: "The boundary lines of contiguous school corporations in same county may be changed by the concurrent action of the respective boards of directors at their regular meetings in July, or at special meetings thereafter called for that purpose. The corporation from which territory is detached shall after the change contain not less than four government sections of lands, and its boundary lines must conform to the lines of congressional divisions of land. In the same manner, the boundary lines of contiguous school corporations in the same county may be so changed that one corporation shall be included in and consolidated with the other as a single corporation."

Section. 11. That section twenty-eight hundred (2800) of the code be and the same is hereby amended by striking out the words "third Monday in March following" in the last line of said section, and inserting in lieu thereof the words "first day of July following unless that date falls on Sunday, in which case on the day following."

Section 12. That section twenty-eight hundred one (2801) of the code be and the same is hereby amended by striking out the word "September" in line three and inserting in lieu thereof the word "July."

Section 13. That section twenty-eight hundred two (2802) of the code be and the same is hereby repealed and the following enacted in lieu thereof. "When any changes are made in the boundaries of any school corporations the new corporation shall elect a board of directors in accordance with the new boundaries, and such new boards shall organize as provided in section twenty-seven hundred fifty-seven (2757) of this chapter. The boards of directors in office at the time the changes are made in the boundaries of the school corporations, shall continue to act until the boards of directors representing the newly formed districts have been duly organized, whereupon the new boards shall make an equitable division of all assets and liabilities of the corporations affected; and, if they cannot agree, the matters upon which they differ shall be decided by disinterested arbitrators, and selected by each board having an interest therein, and if the number thus selected is even then one shall be added by the county superintendent, and the decision of the arbitrators shall be made in writing, either party having the right to appeal therefrom to the district court."

Section 14. That the law as it appears in section twenty-eight hundred six (2806) of the supplement to the code be and the same is hereby amended by striking out the word "March" in line two and inserting in lieu thereof the word "July", and by striking out the word "May" in the fourth and sixteenth lines and inserting in lieu thereof in each place the word "August".

Section 15. This act being deemed of immediate importance shall be in full force and effect on and after its publication in the Register and Leader and the Des Moines Capitol, newspapers published in Des Moines, Iowa.

Substitute read first and second time and ordered printed in the Journal.

Senator Garst from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred House file No. 97, a bill for an act appropriating fifty dollars for the purpose of repairing the Soldiers' Orphans' Monument at Cedar Falls, and inscribing the names of deceased soldiers orphans 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 same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate file No. 58 a bill for an act making an appropriation for the purchase of twenty-five thousand (25,000) Railroad Commissioners' official maps to be distributed by the members of General Assembly and Railroad Commissioners, 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 following bill be substituted therefor and when so substituted the bill do pass.

WARREN GARST.
Chairman.

Ordered passed on file.

SUBSTITUTE FOR SENATE FILE NO. 58.

A BILL for an act making an appropriation for the purchase of twenty-five thousand (25,000) railroad commissioners' official maps to be distributed by the members of the General Assembly and Railroad Commissioners.

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

Section 1. The Railroad Commissioners are hereby instructed to procure twenty-five thousand (25,000) copies of the Railroad Commissioners' Official map of Iowa, twenty-four thousand (24,000) of said maps to be printed on heavy paper, mounted and with tape sides, and one thousand (1,000) of said maps to be folded and inclosed in suitable envelopes; five (5) copies in envelopes and thirty (30) mounted maps to be delivered to each member of the General Assembly for distribution, and the remainder to be distributed under the direction of the Railroad Commissioners, and said board of Railroad Commissioners is hereby directed to provide each public school room in the state with a copy of the mounted map.

Section 2. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, the sum of four thousand two hundred ($4,200) dollars or so much thereof as shall be necessary for the purpose herein stated.

Section 3. This act being deemed of immediate importance, shall take effect and be in force from and after its passage and publication in the Register and Leader and the Des Moines Daily Capital, newspapers published at Des Moines, Iowa.

Substitute read first and second time, and ordered printed in Journal.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred House file No. 178. A bill for an act making an appropriation to defray the mileage and expenses of the various committees sent by the Thirty first General Assembly to visit the several 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 same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Stuckslager from the committee on Banks, submitted the following report:

MR. PRESIDENT—Your committee on Banks to whom was referred Senate file No. 32 a bill for an act to protect creditors who deposit money in savings, state and private 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 same be indefinitely postponed.

W. C. STUCKSLAGER,
Chairman.

Ordered passed on file.

Senator Hartshorn from the committee on Printing submitted the following report:

MR. PRESIDENT—Your committee on Printing to whom was referred Senate file No. 173. A bill for an act to amend sections seventy (70), seventy-one (71), and one hundred forty-one (141), of the code, and to repeal the law as it appears in section one hundred twenty-five (125), of the supplement to the code and enact a substitute there for and to repeal the law as it appears in section one hundred twenty-six (126), of the supplement to the code, as amended by chapter five (5) of the acts of the thirtieth General Assembly, 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 the same be amended as follows; Amend section five (5), of said bill by inserting after the word "cases" in the second line of sub-section 10 thereof the words "regular document size," and when so amended the bill do pass.

T. C. HARTSHORN,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

House file No. 194, a bill for an act to legalize the incorpoartion of town of Ionia, Chickasaw county, Iowa, the election of its officers, the passage of its ordinances and resolutions, and all acts done by the committee of said town with report of committee recommending passage was taken up, considered, and the report of the committee adopted,

Senator Spaulding moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Harper, Hartshorn, Hasselquist, Hogue, Hopkins, Hughes, Jamison, Jones, Kimmel, Lambert, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Turner, Wade, Warren, Whipple, Wilson of Fayette, Young of Calhoun, Young of Washington.—37.

The nays were:

None.

Absent or not voting:

Brooks, Crawford, Gale, Gillilland, Hayward, Jackson, Kinne, Maytag, Stuckslager, Taylor, Wilson of Clinton, Winne, Young of Lee—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its titled agreed to.

Substitute for House file No. 98, a bill for an act making an appropriation for the purchase of twenty-five thousand (25,000) railroad commissioners' official maps to be distributed by the members of the General Assembly and Railroad Commissioners was taken up and considered.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate in regular session.

Senator Garst moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jamison, Jones, Kimmel, Lambert, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of

Des Moines, Smith of Mitchell, Spaulding Stirton, Stookey, Turner, Wade, Warren, Whipple, Wilson of Fayette, Young of Lee, Young of Calhoun, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Brooks, Crawford, Gale, Gillilland, Jackson, Kinne, Maytag, Stuckslager, Taylor, Wilson of Clinton, Winne—11.

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

Senator Garst moved that Senate file No. 58 be indefinitely postponed.

Carried.

So Senate file No. 58 was indefinitely postponed.

Senate file No. 156, a bill for an act to amend sections forty-nine hundred eighty-nine (4989) and forty-nine hundred ninety (4990) of the code, relating to the sale of adulterated milk and cream, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Dunham moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jamison, Jones, Kimmel, Lambert, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Fayette, Young of Lee, Young of Calhoun, Young of Washington —40.

The nays were:

None.

Absent or not voting:

Brooks, Crawford, Gale, Gillilland, Jackson, Kinne, Maytag, Taylor, Wilson of Clinton, Winne—10.

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

Senate file No. 157, a bill for an act defining the powers of the State Dairy Commissioner, his deputy and assistants, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Dunham offered the following amendment and moved its adoption:

Amend section one of the bill by inserting the words "Food and" after the word "State" in first line thereof.

Adopted.

Senator Dunham moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright,Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Jones, Kimmel, Lambert, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun, Young of Washington—40.

The nays were:

None.

Absent or not voting:

Brooks, Crawford, Gale, Gillilland, Hogue, Jackson, Kinne Maytag, Taylor, Wilson of Clinton,—10.

Senator Dunham moved to amend the title of the bill by adding after the word "State" the words "Food and."

Carried.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended agreed to.

House concurrent resolution adopted by the House January 23, 1906, requesting the Senators and members of the House of Representatives in Congress from this State to use their influence and to so vote as to secure the passage of a law empowering the Interstate Commerce Commission to fix and establish interstate freight rates and charges subject to such rights of review by the courts as may be proper and equitable, was taken up and considered.

Senator Lewis moved the adoption of the following committee amendments:

Amend by striking out the works "and to so vote" in the sixth line of the resolution, and by inserting in the eighth line thereof after the word "charges," the words "where found unjust", also to further amend by adding the words "and that the Secretary of State is hereby instructed to transmit a copy of this resolution to each of our Senators and members of Congress."

Adopted.

Senator Hopkins moved to amend the concurrent resolution by striking out the word "as" in the sixth line of the resolution.

Adopted.

Senator Jamison offered the following amendment and moved its adoption:

Amend the resolution by striking out all after the word "of" in the fifth line of the printed resolution and insert in lieu thereof the following, "House file No. 12987, commonly known as the Hepburn-Dolliver bill."

Senator Smith of Mitchell moved to adopt the following as a substitute for the amendment offered by Senator Jamison:

Amend the resolution by striking out all after the word "of" in line five and inserting in lieu thereof the following: "A law conferring powers upon the Inter-State Commerce Commission in accordance with the recommendations of President Roosevelt."

Senator Molsberry moved to lay the amendments on the table.

A roll call was demanded.

The yeas were:

Bleakly, Bruce, Courtright, Crossley, Dunham, Elerick, Hartshorn, Hasselquist, Hogue, Jackson, Jamison, Jones, Molsberry, Smith of Des Moines, Spaulding, Stookey, Stuckslager, Wade, Whipple, Young of Calhoun—20.

The nays were:

Dowell, Ericson, Garst, Harper, Hayward, Hopkins, Hughes, Kimmel, Lambert, Lewis, Lyons, Newberry, Saunders, Smith of Mitchell, Stirton, Turner, Warren, Wilson of Fayette, Winnie, Young of Lee, Young of Washington—21.

Absent or not voting:

Brooks, Crawford, Eckles, Gale, Gillilland, Kinne, Maytag, Taylor, Wilson of Clinton—9.

So the motion to lay the amendments on the table was lost.

Senator Bruce filed the following explanation of his vote:

I am in favor of the subject matter of the resolution, but opposed to memorializing congress in this way.

JAMES E. BRUCE.

The President announced that he had signed in the presence of the Senate, Senate files Nos. 40, 89 and 81.

Senator Garst moved that the Senate do now adjourn until 9:30 o'clock A. M. tomorrow.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, February 20, 1906,

Senate met pursuant to adjournment at 9:30 o'clock A. M., President Herriott, presiding.

Prayer was offered by the Rev. John B. Donaldson of Davenport, Iowa.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Senate file No. 71, a bill for an act to amend section three thousand five hundred forty (3540) of the code, in relation to the publication of original notices in commencement of actions against unknown defendants and length of publication.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 246, a bill for an act to legalize the incorporation of the town of Jamaica, Guthrie county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all act done by the council of said town.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 175, a bill for an act to amend section three thousand forty-seven (3047) of the code relating to the assignment of wages.

C. R. BENEDICT,
Chief Clerk.

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:

House file 167, a bill for an act relating to Fish and Game and making appropriations for the Fish nnd Game Commission of the State of Iowa.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 76, a bill for an act to amend the law as it appears in section twenty-five hundred seventy-six (2576) of the supplement to the code, so as to change the dates of the meetings of the State Board of Medical Examiners.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 140, a bill for an act relating to gifts, devises or bequests to state institutions.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 111, a bill for an act to amend the law as it appears in section four thousand nine hundred and ninety-nine-b (4999-b) of the supplement to the code relating to the safe guarding of machinery.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 155, a bill for an act to legalize the incorporation of the town of Meservey, Cerro Gordo county, Iowa, the elections of its officers and all acts done and ordinances passed by the council of said town.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 270, a bill for an act to repeal section one thousand sev hundred thirty-seven (1737) of the code, relating to the publication of certificates of compliance of companies transacting the business of insurance other than life and er acting a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 203, a bill for an act to amend section four hundred ninety-eight (498) of the code, requiring County Recorders to keep a fee book and make a permanent record of all fees charged.

C. R. BENEDICT,
Chief Clerk.

PETITIONS AND MEMORIALS.

Senator Dunham presented petition of Master Tom Norris of Manchester, the son of one of his constituents, protesting against the passage of the fire-cracker bill.

Referred to committee on Military.

Senator Kimmel presented petition of voters of Iowa favoring bills providing for state wide primary election law; the abolishment of the circle on the Australian ballot; the anti-pass law and the establishment of a binding twine plant at the state penitentiary,

Referred to committee on Agriculture.

Senator Smith of Des Moines presented petition of voters and tax payers of Burlington, Iowa, favoring the passage of a law giving municipalities greater control over telephone companies.

Referred to committee on Cities and Towns.

Senator Lewis presented petition of thirteen voters of Page county favoring the passage of the anti-pass bill, the two cent fare bill and a state wide primary election law.

Referred to committee on Elections.

On request of Senator Wilson of Fayette leave of absence was granted Senator Hopkins for the day.

On request of Senator Young of Lee leave of absence was granted Senator Taylor for the day.

On request of Senator Molsberry leave of absence was granted Senator Gale for the day.

INTRODUCTION OF BILLS.

By Senator Stuckslager, Senate file No 220, a bill for an act amendatory to chapter six (6), title three (3), of the code, extending the jurisdiction of Superior Courts in cities which are not county seats, and which have now, or may hereafter have, a population of twenty-five thousand or more; providing for changes of venue from superior courts in such cities; providing for trial by jury in superior courts in such cities; providing for the number of jurors in such courts in such cities and the manner of their selection; providing the manner of making judgments of such courts in such cities liens upon real estate; providing that sales of real estate may be made on process issued out of such courts in such cities; providing for the recording of such sales and the execution of deeds made pursuant to such sales; providing that the filing of petitions in such courts in such cities which affect real estate shall charge third persons with notice of the pendancy of the action upon filing a notice of pendancy; providing for the salary of the judge of the superior court in such cities; providing for the compensation of the shorthand reporter of such court in such cities; and providing that the act shall apply to cities acting under special charter.

Read first and second time and referred to committee on Judiciary.

By Senator Young of Calhoun, Senate file No. 221, a bill for an act to define vaccination, and relating to public health.

Read first and second time and referred to committee on Public Health.

HOUSE MESSAGES CONSIDERED.

Senate file No. 71, a bill for an act to amend section thirty-five forty (3540) of the code in relation to the publication of original notices in commencement of actions against unknown defendants, and length of publication.

Ordered passed on file.

House file No. 246, a bill for an act to legalize the incorporation of the town of Jamaica, Guthrie county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the council of said town.

Read first and second time and referred to committee on Judiciary.

House file No. 175, a bill for an act to amend section thirty hundred forty-seven (3047) of the code relating to the assignment of wages.

Read first and second time and referred to committee on Judiciary.

House file No. 167, a bill for an act relating to fish and game, and making appropriations for the Fish & Game Commission of the State of Iowa.

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

Senate file No. 76, a bill for an act to amend the law as it appears in section twenty-five hundred seventy-six (2576) of the supplement to the code so as to change the dates of the meetings of the State Board of Medical Examiners.

Ordered passed on file.

Senate file No. 140, a bill for an act relating to gifts, devises, or bequests to State institutions.

Ordered passed on file.

House file No. 111, a bill for an act to amend the law as it appears in section forty-nine hundred ninety-nine-c (4999-c) of the supplement to the code relating to the safe guarding of machinery.

Read first and second time and referred to committee on Judiciary.

Senate file No. 155, a bill for an act to legalize the incorporation of the town of Meservey, Cerro Gordo county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town.

Ordered passed on file.

House file No. 270, a bill for an act to repeal section one thou sand seven hundred thirty-seven (1737) of the code relating to the publication of certificates of compliance of companies transacting the business of insurance other than life and enacting a substitute therefor

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

Honse file No. 203, a bill for an act to amend section four hundred and ninety-eight (498) of the Code requiring county recorders to keep a fee book and make a permanent record of all fees charged.

Read first and second time and referred to committee on Judiciary.

The President announced that he had received the following communication from the Governor relative to inspection of the gypsum mines of the state of Iowa, which was ordered printed in the Journal.

Honorable A. B. Cummins, Governor of Iowa.

SIR—Obedient to instructions of the concurrent resolution of the Thirtieth General Assembly, the undersigned submit, herewith, their findings of inspection of the gypsum mines of the state of Iowa.

Very respectfully,
EDWARD BRIGHAM
Commissioner of Labor Statistics.
EDWARD SWEENEY,
State Mine Inspector,
Third Inspection District.

The following concurrent resolution was adopted by the House on April 8th, and by the Senate on April 9th.

CONCURRENT RESOLUTION RELATIVE TO THE INSPECTION OF THE GYPSUM MINES OF IOWA.

WHEREAS, The gypsum mines of Iowa are not now inspected under statutory provision and,

WHEREAS, This industry which is rapidly developing and now employes tabout two hundred (200) men in underground mines, it becomes necessary o provide all possible safeguards to the life, limb and health of such employes, therefore be it,

Resolved by the House, the Senate concurring, That the State Mine Inspector of the Third Inspection District and the Commissioner of the Bureau of Labor Statistics it connection with their regular duties and without extra compensation, be and are hereby authorized and instructed to personally visit and investigate all gypsum mines in the state and inquire into all conditions of such mines that pertain to life, limb, safety, and health of the employes therein, and that said Mine Inspector and Commissioner of the Bureau of Labor Statistics submit a complete report of their investigation to the Governor, not later than October 1, 1905, in order to thoroughly advise the members of the Thirty-First General Assembly of the State of Iowa, as to the conditions that exist in such gypsum mines pertaining to the safety of life, limb and health of the employes therein.

REPORT.

On September 16, 1904 we visited Fort Dodge, Webster County, and commenced a tour of inspection of the gypsum mines continuing for several days, or until we had canvassed the conditions of every gypsum mine that was in operation there.

We found that only four mines were in operation, and since the production of gypsum in the state of Iowa is confined to Webster County, the scope of our labors have been entirely within the mining district of Fort Dodge.

The four mines in operation and producing gypsum are three shafts and one slope opening, to-wit:

The Cardiff Gypsum Plastering Company have a shaft 60 feet deep, 6x7½ feet in size, single compartment, and work a seam of gypsum 30 feet in thickness. The plan of working is room and pillar partially double entry system, but formerly worked on the single entry plan. The workings are driven through a ten foot opening, and throughout the development that height is maintained. The additional 30 feet of gypsum vein is worked back for safety and economy much after the plan of thick coal mining in the anthracite mines of Pennsylvania, termed by some the retreating plan. This company employs about 70 men, in and around the mine, and have a producing capacity of 130 tons per day. The ventilation of this mine was not found as good as it could and should be. We measured 9800 cubic feet of air at the bottom of the downcast shaft, and such quantity would be sufficient for the number of miners engaged in mining, were the air properly conducted to the working face. The roof to the entries we found to be good and in a safe condition, but the roadways are usually wet, owing to water flows from the frequency of open slips and seams in the gypsum vein.

The work is fairly safe, and in fact but three accidents have occurred in this mine in the ten years of its operation. But one of these three acidents proved fatal. We found the management disposed to provide every possible safeguard for the workmen. At this mine there are three shafts; first the main hoisting shaft, as heretofore described, second an escapement shaft, 4x4 feet in size, located

150 feet from the main hoisting shaft, and provided with a good safe stairway with eight foot landings, and third, a shaft used as a fan or ventilating shaft. A perpendicular ladder is placed in this third or fan shaft, so that the mine has practically two escapements shafts.

The United States Gypsum Company operate one shaft and one slope mine. The shaft opening is about three miles east of Fort Dodge, is about 70 feet deep, and in size is 7x14 feet, double compartment. The ventilating fan is connected with an air chamber about 3x7 feet, partitioned from the main hoisting shaft. The air measurement was 14,200 cubic feet at the bottom of tne air chamber, and the volume was well conducted to the working places. The thickness of the gypsum vein in this shaft is thirty feet, and a nine foot opening or height is worked in rooms and entries. The additional 21 feet is worked back on the retreating plan. The escapement shaft is located 750 feet east from the main shaft, and in size is 4x5 feet. It is well timbered and is equipped with ladders in ten foot lengths to good landing platforms, The management assured us that good stairways would be substituted for the ladders, which when done will be quite an improvement. The roof along the entries and in the rooms was safe, and in a general way the safety and sanitary conditions of this mine were good. This plant and mine furnishes employment to about 100 men and produces about 350 tons of gypsum per day. The slope or drift opening is driven under a hill and is located some two miles south of Fort Dodge. About 25 men are employed in this mine. The plan of operation is room and pillar, and the entries are driven about ten feet wide, while the room are from 25 to 30 feet in width. The roof is good and the volume of air is ample, registering 11,300 cubic feet per minute, in the main air course. This mine is provided with an air shaft and escapement connection, with a drift opening some 400 feet north of the main drift, all of which we found to be ample for needed protection to health and life. The producing capacity of this mine is about two hundred tons per day.

The Plymouth Gypsum Company, located one and one half miles south of Fort Dodge, operate a shaft 80 feet deep, 6x15 feet in size, and employ some 50 men, in and around the mine, producing an average of 120 tons of gypsum per day. The vein worked is about the same thickness as that of the mines previously spoken of, and the plan of operation is the same as at the Cardiff and United States Gypsum mines; room and pillar, and retreating. The ventilation we found to be good, the volume of air, measured at the foot of the downcast, registering 18 200 cubic feet per minute. The fan used is ten feet in diameter and is well arranged in construction for good results. The openings are entries and rooms and are given to a width of ten feet to entries, and 25 feet to room work. The top or roof is a solid thickness of gypsum rock and is safe under every reasonable condition. There is no escape shaft, but we were informed by the company's representative that one would be commenced just as soon as entry ex-

tensions were made to a suitable distance and location, as indicated by the mine manager pointing to a location across the railroad tracks. The entries all seemed in safe condition as to solid top, good width, and no accumulation of foul air, the needed improvement being an escape shaft.

We made three inspections of the gypsum mines. The last inspection was on June 29 and 30, 1905. Many improvements had been made between the dates of our first and last inspection of the mines producing gypsum.

The production of gypsum by the shaft or drift opening is a novel enterprise in mining. The Cardiff Gypsum Company were the first, in the state of Iowa at least, to introduce this method of gypsum mining, As an experiment operation was begun on the single compartment shaft, and the mine was developed on the singlt entry plan. Since our first inspection the Cardiff Company have changed from single to double entry system, and such change has resulted in a marked inprovement in the air circulation, and ventilation. The sanitary conditions are now decidedly good. Mr. Collins, the superintendent of this company, to whom the credit in a great measure is due, for the recent improvement of their mine, has done much to give permanency to the gypsum mining industry in Iowa, by his persistent effort to obtain safe and satisfactory mine conditions.

The Cardiff Gypsum Plast-ring Company and the United States Gypsum Company are provided with good machinery, good cages with covers and safety catches, good hoisting cables or ropes, and indeed every reasonable precaution seems to be taken for the safety of the workmen. The needed escape shafts have been constructed, and the travelling ways, to and from such escapements, are in good condition.

The Plymouth Gypsum Company, however, have no escape shaft or second opening. Their machinery and equipments are first-class, good cages with good covers and safety catches, and good hoisting ropes. With the promised escapement shaft the whole plant and mine will be in first-class and safe condition.

A noticeable and most encouraging feature we find in Iowa gypsum mining is the fact that capable and practical coal mining men are in charge and managing the operation of these mines, the method and plan of mining being largely the same as in our Iowa room and pillar coal mines. There are no gob or coal dirt fires in the gypsum mines, consequently there is no accumulation of foul air as is usual with gob fires in coal mines. The entries are high and spacious, safe for drivers and for all needed travel, the mines are easily ventilated and with escapement shafts and good fans, good air can be circulated in sufficient quantity.

The mining laws should require gypsum mining companies to provide such methods and safeguards are herein mentioned, with a view to better protecting present and future workers in the Iowa gypsum mines.

It should be mentioned that the preparation of gypsum rock for use as a plaster of finished product requires large buildings, which are erected in connection with the shaft of mine opening, and it is particularly necessary that escapement or second openings be always provided and in serviceable condition.

The Iowa gypsum is mined by the use of black blasting powder as is coal in what are known as the room and pillar and shooting coal mines. About 40 tons or gypsum rock are shot down by the use of one keg of powder. The powder is furnished in iron kegs each containing 25 lbs. Such explosive is stored in a suitable powder house or magazine, convenient to the mine, but at a safe distance from the works.

We made no inspection of the mines in that vicinity that had been closed for some time, but confined our inspection to those only, that were in operation during the past year.

Respectfully submitted.

REPORT OF COMMITTEE.

Senator Hartshorn, from the committee on Printing, submitted the following report:

MR. PRESIDENT—Your committee on Printing to whom was referred Senate file No. 47, a bill for an act to amend section forty-seven (47) of the code, relative to the compensation of newspapers for the publication of laws, beg leave to report that they have had the same under consideration and have instruc ed me to report the same back to the Senate with the recommendation that the same be amended by the adoption of the following substitute; and when so amended the bill do pass.

F. C. HARTSHORN,
Chairman.

SUBSTITUTE FOR SENATE FILE NO. 47.

A BILL for an act to amend section forty-seven (47) of the code relative to the compensation of newspapers for the publication of laws.

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

Section 1. That section forty-seven (47) of the code be amended by striking out of the fourth line of said section the word "third" and inserting in lieu thereof the word "half".

The substitute was read first and second time and ordered passed on file.

Senator Jackson, 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. 44, a bill for an act to amend section eighty-eight (88) of the code, relating to the clerk of the land 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 the same do pass.

JOHN H. JACKSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Compensation of Public Officers to whom was referred Senate file No. 142, a bill for an act to amend the law as it appears in section twenty-seven hundred twenty-seven-c (2727-c), of the supplement to the code relating to salaries, beg leave to report that 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 "fifteen" in the fifth line of section one (1) thereof and inserting in lieu thereof the word "eighteen."

And when so amended the bill do pass.

JOHN H. JACKSON,
Chairman.

Ordered passed on file.

Senate resumed consideration of the concurrent resolution requesting the Senators and Representatives in the Congress of the United States from Iowa to do certain things in reference to transportation charges which was under consideration at adjournment yesterday.

Senator Crossley offered the following amendment to the substitute for the amendment and moved its adoption:

Amend the substitute by adding thereto the following words: "As set forth in House file No. 12987 commonly known as the Hepburn-Dolliver bill."

Senator Courtright offered the following as a substitute for the concurrent resolution and all pending amendments thereto:

Moved to amend, by striking out all of the resolution after the words "Resolved by the House, the Senate concurring," and pending amendments and substituting in lieu thereof the following.

"That the House, the Senate concurring, in behalf of themselves, and all of the people of the great State of Iowa, hereby extend to the Hon. Jonathan P. Dolliver and the Hon. Wm. B. Allison, United States Senators, and to each of the several members of the House of Representatives in Congress from the State of Iowa, our sincere and hearty thanks, and assure them of our great appreciation for their earnest and united efforts to secure an effective measure giving to the Interstate Commerce Commission power to fix, establish and enforce reasonable interstate freight rates and charges as demanded by the President."

Senator Smith of Mitchell raised the point of order that the substitute offered by Senator Courtright was not permissible.

The point of order was sustained.

Senator Lyons moved the previous question on the amendments.

Carried.

On the question shall the amendment to the substitute for the amendment offered by Senator Crossley be adopted?

A roll call was demanded.

The yeas were:

Bleakly, Brooks, Crawford, Crossley, Dunham, Elerick, Gillilland, Harper, Hartshorn, Hasselquist, Hogue, Jackson, Jamison, Jones, Molsberry, Smith of Des Moines, Spaulding, Stookey, Stuckslager, Warren, Whipple—21.

The nays were:

Bruce, Courtright, Dowell, Eckles, Ericson, Garst, Hayward, Hughes, Kimmel, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Mitchell, Stirton, Turner, Wade, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—25.

Absent or not voting:

Gale, Hopkins, Kinne, Taylor—4.

So the amendment was lost.

On the question, Shall the substitute offered by Senator Smith of Mitchell be adopted?

A roll call was demanded.

The yeas were:

Dowell, Eckles, Garst, Hayward, Hughes, Kimmel, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders Smith of Mitchell, Stirton, Turner, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington —22.

The nays were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dunham, Elerick, Ericson, Gillilland, Harper, Hartshorn, Hassel-

quist, Hogue, Jackson, Jamison, Jones, Molsberry, Smith of Des Moines, Spaulding, Stookey, Stuckslager, Wade, Whipple—24

Absent or not voting:

Gale, Hopkins, Kinne, Taylor—4.

So the substitute was lost.

Senator Saunders filed the following explanation of his vote:

I vote "aye" because I am opposed to endorsing a specific measure. In so casting this vote I mean no reflection upon the splendid services of W. P. Hepburn and Senator J. P. Dolliver,

C. G. Saunders.

On the question, Shall the amendment offered by Senator Jamison be adopted?

A roll call was demanded.

The yeas were:

Bleakly, Brooks, Crawford, Crossley, Dunham, Elerick, Gillilland, Hartshorn, Hasselquist, Hogue, Jackson, Jamison, Jones, Molsberry, Smith of Des Moines, Stookey, Stuckslager—17.

The nays were:

Bruce, Courtright, Dowell, Eckles, Ericson, Garst, Harper, Hayward, Hughes, Kimmel, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Mitchell, Stirton, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—28.

Absent or not voting:

Gale, Hopkins, Kinne, Spaulding, Taylor—5.

So the amendment was lost.

Senator Courtright offered the following amendment to the resolution and moved its adoption:

Moved to amend, by striking out all of the resolution after the words "Resolved by the House, the Senate concurring", and pending amendments and substituting in lieu thereof the following:

"That the House, the Senate concurring, in behalf of themselves, and of all the people of the great State of Iowa, hereby extend to the Honorable Jonathan P. Dolliver and the Honorable Wm. B. Allison, United States Senators, and to each of the several members of the House of Representatives in Congress from the State of Iowa, our sincere and hearty thanks, and assure them of our great appreciation for their earnest and united

efforts to secure an effective measure giving to the Interstate Commerce Commission power to fix, establish and enforce reasonable interstate freight rates and charges as demanded by the President."

Senator Molsberry moved the previous question on the amendment and resolution.

Carried.

On the question, Shall the amendment offered by Senator Courtright be adopted?

A roll call was demanded.

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dunham, Eckles, Elerick, Ericson, Gillilland, Hartshorn, Hasselquist, Hogue, Jackson, Jamison, Jones, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Young of Calhoun—31.

The nays were:

Dowell, Garst, Harper, Hughes, Kimmel, Lambert, Lewis, Smith of Mitchell, Stirton, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Washington—14.

Absent or not voting:

Gale, Hayward, Hopkins, Kinne, Taylor—5.

So the amendment was adopted.

On the question, Shall the resolution as amended be adopted?

A roll call was demanded.

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hughes, Jackson, Jamison, Jones, Kimmel, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Calhoun, Young of Washington—45.

The nays were:

None.

Absent or not voting:

Gale, Hopkins, Kinne, Taylor, Young of Lee—5.

So the concurrent resolution as amended was adopted.

Senator Gillilland offered the following concurrent resolution and asked that it be read.

CONCURRENT RESOLUTION.

WHEREAS, Gov. Cummins in the address to the "Republicans of Iowa," issued in this morning's papers, makes the alarming statement that the railway corporations are "exerting every ounce of strength which money and organization can create to defeat the primary election bill," that "they are hunting it to its death with a persistency and a vindictiveness I have never seen surpassed;" that "these masters of intrigue who are now endeavoring to thwart the will of an overwhelming proportion of the voters of Iowa" (and for this purpose) "are spending the winter in Des Moines," and

WHEREAS, The gravity of this charge is such as that, if believed by the people, it will seriously reflect on all legislators opposed to a state wide plurality primary, no matter how conscientious their opposition may be, and will lead the people to believe that all such are being influenced in their action by the "exertion of every ounce of strength which money and organi zation can create;" how therefore, be it,

Resolved, by the Senate, the House concurring, That in fairness to the members of the Legislature, and that only those (if there be any) who are really culpable may be pointed out, the Governor be asked to communicate in writing to the Legislature such specific facts (as distinguished from mere assertions) as to:

First. How money is being used by the railroads to defeat the primary bill.

Two. What legislators, if any, have been the recipients of this money.

Third. Who are the "masters of intrigue that are spending the winter in Des Moines' and where are they located.

Laid over.

President pro tem Smith was called to the chair at 11:20 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 concurred in Senate amendments to House file No. 32, in which the concurrence of the House was asked:

A bill for an act to amend chapter ten (10) as it appears in the title four (4) of the code, relating to townships and township officers.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 138, in which the concurrence of the House was asked:

A bill for an act to amend section forty-eight hundred twenty-one (4821) of the code relating to hunting on enclosed land.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

Senate file No. 30, a bill for an act to repeal sections twenty-seven hundred thirty-four (2734), twenty-seven hundred thirty-five (2735), twenty-seven hundred thirty-six (2736), twenty-seven hundred thirty-seven (2737), chapter thirteen (13), title thirteen (13) of the code of Iowa, and sections twenty-seven hundred thirty-four (2734), twenty-seven hundred thirty-six (2736), twenty-seven hundred thirty-seven (2737), chapter thirteen (13), title thirteen (13) of the supplement to the code of Iowa and to define the qualifications of county superintendents, to provide for the examination and certification of teachers for the public schools, the classification of teachers' certificates and the registration of the same, was taken up and considered.

Senator Warren offered the following amendment and moved its adoption:

Amend the title to Senate file 30 as follows:

Insert after the word section in the first line of said title the words and figures, twenty-six hundred and thirty-two (2632).

Adopted.

President Herriott resumed the chair at 11:40 o'clock A. M.

Senator Turner offered the following amendment and moved its adoption:

Move to amend by inserting after the word "shall" in the second line of section fourteen (14), the words "request each County Superintendent of the different counties of the State to submit the names of four competent persons, and from a list made up of the names thus submitted shall" and

Strike out the words "previously selected by the board" in lines two (2) and three (3) of section fourteen (14), and

Insert before the word "ten" in line three (3) of section fourteen (14) the words "provided however", and

Strike out the word "whom" in line three (3) of section fourteen (14) and insert in lieu thereof the words "the readers", and

Strike out the period in line three (3) after the word "Superintendents" and insert in lieu thereof the words "selected by the board of examiners."

A roll call was demanded.

Senator Courtright moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, February 21, 1906.

Senate met in regular session at 10 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. D. Wallace McQuiston, of Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Stookey presented petition of two hundred and three residents of Creston and twenty residents of Afton, Iowa, asking the enactment of a law prohibiting the playing of base ball on the Sabbath.

Referred to committee on Judiciary.

Senator Jackson presented petition of one hundred and twenty-six residents of Sioux City asking the enactment of a law prohibiting the playing of base ball on the Sabbath.

Referred to committee on Judiciary.

Senator Kimmel presented petition of twenty-six residents of Hawarden asking the enactment of a law prohibiting the playing of base ball on the Sabbath.

Referred to committee on Judiciary.

Senator Newberry presented petition of Volga City, Iowa, asking the passage of a law prohibiting the playing of base ball upon the Sabbath.

Referred to committee on Judiciary.

Senator Lyons presented petition of thirty-seven residents of Cresco, Iowa, asking the enactment of a law prohibiting the playing of base ball on the Sabbath.

Referred to committee on Judiciary.

Senator Winne presented petition of seventy-six residents of Storm Lake asking the enactment of a law prohibiting the playing of base ball on the Sabbath.

Referred to committee on Judiciary.

Senator Dunham presented petition of residents of Delaware county asking the enactment of a law prohibiting the playing of base ball on Sunday.

Referred to committee on Judiciary.

Senator Young of Lee presented petition of eighteen residents of Lee county favoring the passage of a law prohibiting the playing of base ball on Sunday.

Referred to committee on Judiciary,

Senator Dunham presented petition of ex-soldiers of the War of the Rebellion and residents of Clay county, Iowa, asking the repeal of the "Soldiers' Preference Law".

Referred to committee on Military.

Senator Whipple presented petition of residents of Toledo, Iowa, asking the enactment of a law prohibiting the playing of base ball on Sunday.

Referred to committee on Judiciary.

Senator Crawford presented petition of members of the Iowa National Guard in support of the Military bill and favoring the increase of the appropriation to $100,000 00.

Referred to committee on Military.

Senator Courtright presented petition of residents and church congregations in his district asking the enactment of a law prohibiting the playing of base ball on Sunday.

Referred to committee on Judiciary.

Senator Wilson of Clinton presented petition of residents of Clinton, Iowa, asking the enactment of a law prohibiting the playing of base ball on Sunday.

Referred to committee on Judiciary.

Senator Jones presented petition of residents of Oskaloosa, Iowa, asking the enactment of a law prohibiting the playing of base ball on Sunday.

Referred to committee on Judiciary.

Senator Lyons presented petition of mass meeting composed of farmers, beef producers, grain raisers, shippers and citizens of Lawler, Iowa, requesting the Iowa delegation in Congress and the members of the State Legislature from that district to do all in their power to assist President Roosevelt in his efforts for railroad regulation.

Referred to committee on Agriculture.

INTRODUCTION OF BILLS.

By Senator Garst, Senate file No. 222, a bill for an act to amend section five thousand and forty (5040) of the code relative to breach of the Sabbath.

Read first and second time and referred to committee on Judiciary.

By Senator Courtright, Senate file No. 223, a bill for an act to amend section two hundred twenty-seven (227) of the code, relating to judicial districts.

Read first and second time and referred to committee on Judicial Districts.

By Senator Jackson, Senate file No. 224, a bill for an act to amend the law as it appears in chapter thirty-six (36) of the laws of the Thirtieth General Assembly relating to park commissioners.

Read first and second time and referred to committee on Cities and Towns.

By Senator Dowell, Senate file No. 225, a bill for an act to amend section six hundred sixty (660) of the code and to provide for securing to the city interest on public funds, and for bonds with surety to protect against loss.

Read first and second time and referred to committee on Cities and Towns.

By Senator Turner, Senate file No. 226, a bill for an act for the protection of dairymen relating to testing milk and cream.

Read first and second time and referred to committee on Agriculture.

By Senator Young of Lee, Senate file No. 227, a bill for an act to legalize the paving of the alleys in blocks numbers twenty-seven (27), fifty (50) and fifty-one (51) in the city of Keokuk Iowa.

Read first and second time and referred to committee on Cities and Towns.

By Senator Young of Calhoun, Senate file No. 228, a bill for an act to provide for the regulation of embalming and disposal of dead bodies, and to prevent the use of poisons in the preservation of dead bodies, and for a system of examination, registration and licensing of embalmers, and to impose penalties for the violation of its provision.

Read first and second time and referred to committee on Public Health.

By Senator Jackson, Senate file No. 229, a bill for an act to amend section forty-four hundred eighty-five (4485) of the code providing for cost bonds in justice courts.

Read first and second time and referred to committee on Judiciary.

By Senator Hayward, Senate file No. 230, a bill for an act to repeal section fourteen hundred sixty (1460) of the code relating to the statement by the auditor of state of county treasurers' account with the treasurer of state.

Read first and second time and referred to committee on Ways and Means.

By Senator Hayward, Senate file No 231, a bill for an act to repeal section thirteen hundred ninety-one (1391) of the code, relating to deliquent taxes and to enact a substitute therefor.

Read first and second time and referred to committee on Ways and Means.

By Senator Hayward (by request), Senate file No. 232, a bill for an act to pay sundry persons named in this bill for material and labor furnished by them in the erection of the medical hospital of the Iowa State University erected in 1897.

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

By Senator Brooks, Senate file No. 233, a bill for an act to provide for the increasing or decreasing the capital of banks.

Read first and second time and referred to committee on Banks and Bankings.

By Senator Warren, Senate file No. 234, a bill for an act to fix and define the salary of members of the Board of Control of State Institutions.

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

By Senator Courtright, Senate file No. 235, a bill for an act to regulate and control the sale or disposal of stocks of merchandise in bulk, and to provide a penalty for violation thereof.

Read first and second time and referred to committee on Judiciary.

By Senator Dunham, Senate file No. 236, a bill for an act to amend section four hundred twenty-four (424) of the code, relating to building of county bridges by contract.

Read first and second time and referred to committee on Judiciary.

By Senator Dunham, Senate file No. 237, a bill for act to amend the law relative to appropriations for law library as it appears in section twenty-eight hundred eighty-one-e (2881-e), of the supplement to the code.

Read first and second time and referred to committee on Judiciary.

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 bill in which the concurrence of the Senate is asked:

House file No. 74, a bill for an act to regulate the employment of child labor and to provide for the enforcement thereof, additional to chapter eight (8), title twelve (12) of the code.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate file No. 135, a bill for an act to amend section twenty hundred fifty-two (2052) of the code relating to recording fees in the office of Secretary of State.

C. R. BENEDICT.
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate file No. 138, a bill for an act to amend the law as it appears in section one thousand five hundred thirty-three (1533) of the supplement to the code.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 171, a bill for an act to amend section two thousand fifty-two (2052) of the code.

C. R. BENEDICT,
Chief Clerk.

The President announced that he had signed in the presence of the Senate, House file numbers 59, 66, 115 and 128.

The Journal of February 17th was taken up, corrected and approved.

The Journal of February 19th was taken up, corrected and approved.

The Journal of yesterday was taken up, corrected and approved:

Senator Newberry offered the following concurrent resolution.

CONCURRENT RESOLUTION.

Be it resolved by the Senate, the House concurring, That the Secretary of State is hereby authorized to have five thousand (5,000) copies of the new Pure Food Law forthwith published in pamphlet form for general distribution.

Senator Newberry asked unanimous consent to take up the concurrent resolution at this time.

Granted.

Senator Newberry moved the adoption of the concurrent resolution.

Adopted.

Senator Newberry offered the following resolution:

Resolved, That until otherwise ordered, the Senate convene at 9:30A. M

Senator Molsberry asked unanimous consent to take up the resolution at this time.

Granted.

Senator Molsberry moved the adoption of the resolution.

Adopted.

Senator Harper offered the following resolution:

RESOLUTION.

WHEREAS, The twenty-second day of February, 1906, marks the one hundred and seventy-fourth anniversary of the birth of George Washington, therefore be it

Resolved by the Senate, That the time between the hours of 11:40 A. M. and 12:15 P. M., on the twenty-second instant be devoted to short addresses in commemoration of the life and public services of that patriot, statesman and soldier who was "First in war, first in peace and first in the hearts of his countrymen," and that a committee be appointed on program.

Senator Harper asked unanimous consent to take up the resolution at this time.

Granted.

Senator Harper moved the adoption of the resolution.

Adopted.

Senator Courtright offered the following concurrent resolution:

CONCURRENT RESOLUTION.

Resolved, by the Senate, the House of Representatives concurring, That the Secretary of State be, and is hereby directed to furnish the assistant secretaries of the Senate, and the assistant clerks of the House and the Journal clerks of both houses, each with a copy of the code and supplement to the code, and the session laws of the Thirtieth and Thirty-first General Assemblies.

Laid over.

HOUSE MESSAGES CONSIDERED.

House concurred in Senate amendments to House file No. 32, a bill for an act to amend chapter ten (10) as it appears in title four (4) of the code relating to townships and township officers.

Ordered passed on file.

House concurred in Senate amendments to House file No. 138, a bill for an act to amend section forty-eight hundred and twenty-one (4821) of the code relating to hunting on enclosed land.

Ordered passed on file.

House file No. 74, a bill for an act to regulate the employment of child labor and to provide for the enforcement thereof, additional to chapter eight (8) title twelve (12) of the code.

Read first and second time and referred to committee on Judiciary.

House indefinitely postponed Senate file No. 135, a bill for an act to amend section two thousand fifty-two (2052) of the code relating to recording fees in the office of Secretary of State.

Ordered passed on file.

House amended and passed Senate file No. 138, a bill for an act to amend the law as it appears in section one thousand five hundred thirty-three (1533)of the supplement to the code.

Ordered passed on file.

House file No. 171, a bill for an act to amend section two thousand fifty-two (2052) of the code.

Read first and second time and referred to committee on Ways and Means.

REPORTS OF COMMITTEES.

Senator Garst from the committee on Appropriations submitted the following report.

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 167, a bill for an act making an appropriation for the erection of a monument in Elm Grove Cemetery, Washington, Iowa, over the grave of Timothy Brown, a soldier of the Revolutionary war, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

In line two (2) of section one (1) of the original bill, strike out the words "five hundred" and the figures "500" and substitute the words "two hundred and fifty" and the figures "250" in lieu thereof and when so amended the bill do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate file No. 180, a bill for an act making an appropriation for

the erection of a monument at the Aspen Grove Cemetery, Burlington, Iowa, to perpetuate the memory of John Morgan, and providing the method of such erection, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that same be amended as follows:

In line two (2) of section one (1) of the original bill, strike out the words "five hundred" and the figures "500" and substitute the words "two hundred and fifty" and the figures "250" in lieu thereof.

And when so amended the bill do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate file No. 193, a bill for an act making an appropriation for the erection of a monument in Sheron cemetery, Lee county, Iowa, over the grave of George Perkins, a soldier of the Revolutionary war, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

In line two (2) of section (1) of the original bill, strike out the words "five hundred" and the figures "500" and substitute the words "two hundred and fifty" and the figures "250" in lieu therof, and when so amended the bill do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Young of Calhoun from the committee on Public Health, submitted the following report.

MR. PRESIDENT—Your committee on Public Health to whom was referred Senate file No. 216, a bill for an act to amend chapter eighty (80), of the acts of the Thirtieth General Assembly in regard to the admission of patients in hospitals for inebriates, beg leave to report that 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.

HENRY YOUNG,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate file No. 95, a bill for an act entitled "An act to provide for the registration of trained or graduate nurses and for the issuance of certificates thereto, and to make it a misdemeanor for any person to advertise or profess to be trained for graduate nurses without having first been registered as

provided herein," beg leave to report that 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 the following substitute and when so amended that the same do pass.

HENRY YOUNG,
Chairman.

SUBSTITUTE FOR SENATE FILE NO. 95.

A BILL for an act creating a State Board of Examiners of Graduate Nurses and providing for the registration of nurses and the issuance of certificates thereto, and providing a punishment for persons assuming to be graduate or registered nurses who have not been registered as provided in this act.

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

Section 1. There is hereby created and established a State Board of Examiners of graduate nurses, to be composed of three graduate nurses, residents of this state, who shall be appointed by the Governor. Two members of the board shall be nurses who have had at least one year's experience in educational work among nurses. One member shall be designated to hold office until July 1, 1907; one until July 1, 1908, and one until July 1, 1909; and upon the expiration of the term of office of the persons so appointed, the Governor shall appoint a successor whose term of office shall be three years. All vacancies in such board shall be filled in the same manner as provided for appointment.

Section 2. Said board shall, as soon as organized, and in the month of January of each year, elect from their number a president and a secretary who shall act as treasurer. The secretary and treasurer, before entering upon his duties, shall file a bond with the Secretary of State in the sum of one thousand dollars ($1,000.00) with sureties to be approved by the Secretary of State. The board shall adopt rules and regulations, not inconsistent with this act, to govern its proceedings, and also a seal, and the secretary shall have the custody thereof. Said secretary shall keep a record of all proceedings of the board, including a register of the names of all nurses duly registered under this act, which shall be open at all reasonable times to public inspection. The members of the board shall receive the sum of five dollars ($5.00) for each day actually engaged in this service and the actual traveling expenses incurred in attending the meetings of said board. Said salary and expenses shall be itemized and verified by the members of the board entitled to receive the same, and shall be paid from the State Treasury on voucher drawn by the secretary of the board and countersigned by the president. But the amount of moneys thus paid out shall not exceed the sum paid to the State Treasurer under the provisions of this act. The money paid to the State Treasurer under this act shall be kept in a separate fund, and a statement thereof shall be included in his biennial report. The secretary of said board shall pay all moneys received by him, into the State Treasury at the end of each quarter of the fiscal year.

Section 3. Two members of the board shall constitute a quorum. Special meetings may be called by any two members thereof. Said board shall hold examinations at least twice in each year, and due notice shall be given of time and place of holding the same. The examinations shall be of such a character as to determine the fitness of the applicant to practice professional nursing. Each applicant successfully passing the examination shall, upon the payment of the fee of five dollars ($5.00) to the secretary, be granted a certificate to practice professional nursing in this state. Any person who shall show to the satisfaction of the board, that he has properly and duly registered for the practice of professional nursing in another state, upon the payment of the fee above described, shall receive a certificate to practice professional nursing in this state wthout examination.

Section 4. Applicants for certificates to practice professional nursing, shall be at least twenty-one (21) years of age, and of good, moral character. They shall be graduates of training schools of recognized standing, and shall have received at least two years instruction in general hospital practice. After July 1st, 1909, no training school shall be accredited by the Board of Examiners as a school of recognized standing which is not attached to a general hospital and having a course of study of at least three years. All graduate nurses who are residents of the state and graduated prior to the passage of this act shall be granted a certificate without examination, upon payment of the fee above prescribed.

Section 5. Each person who has received a certificate in accordance with the provisions of this act, shall be known and desgnated as a "Registered or Graduate Nurse." No person, except one holding a certificate under authority of this act, shall advertise or assume the title of graduate nurse or registered nurse, or use the abbreviation G. N., or R. N., or any other words, letters, or figures to indicate that the person using the same is a graduate or registered nurse. Nurses holding diplomas from hospital training schools of recognized standing, upon application to the secretary of the board, shall be granted a permit to practice until the first examination of the board following the date of said permit.

Section 6. Any person who continues in the profession as a registered or graduate nurse shall, on or before the 1st day of April of each year, pay to the Board of Examiners, the sum of one dollar ($1.00) for which he shall receive a renewal of his certificate.

Section 7. This act shall not apply to any person nursing the sick with or without pay who does not in any way assume to be a graduate or registered nurse.

Section 8. The State Board of Examiners shall have the power to revoke any certificate when satisfied of the incompetency, dishonesty or immoral character of the certificate holder, but before any certificate shall be revoked, the holder thereof shall have thirty (30) days notice in writing, of the specific charge made against him, and of the time and

place of hearing of such charge, at which time and place he shall be entitled to be present and to be heard either in person or by attorney. Upon the revocation of any certificate it shall be the duty of the secretary of the board to strike the name of the holder thereof from the roll of registered nurses and any other person whose name has been thus stricken from the roll and who shall thereafter assume to be a registered nurse shall be guilty of a misdemeanor and be punished as by law provided therefor.

Section 9. Any person violating any of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction shall be fined in a sum not exceeding one hundred dollars ($100.00).

Section 10. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published at Des Moines, Iowa.

The substitute was read first and second time and ordered printed in the Journal.

Senator Young of Calhoun, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health to whom was referred Senate file No. 91, a bill for an act to repeal the law as it appears in section twenty-five hundred seventy-a (2570-a) of the supplement to the code and chapter ninety-eight (98) laws of the Thirtieth General Assembly, relating to quarantine, the care of infected persons and the payment of expenses incurred thereby 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 same do pass.

HENRY YOUNG,
Chairman.

Ordered passed on file.

Also:

Senator Young of Calhoun, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health to whom was referred Senate file No. 75, a bill for an act to amend section twenty-five hundred sixty-seven (2567) of the code, so as to include the reporting of divorces and to change the time of reporting marriages and divorces to the State Board of Health, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

HENRY YOUNG,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Public Health to whom was referred Senate file No. 221, a bill for an act to define vaccination, and relating to 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 the same do pass.

HENRY YOUNG,
Chairman.

Ordered passed on file.

Senator Lewis, from the committee on Elections, submitted the following report:

MR. PRESIDENT—Your committee on Elections to whom was referred House file No. 153, a bill for an act to amend section seven (7) chapter forty (40) of the acts of the Thirtieth General Assembly of the State of Iowa, relating to primary elections and the manner in which candidates may procure their names to be placed on the primary ticket, beg leave to report that 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.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Senator Ericson, from the committee on Libraries, submitted the following report:

MR. PRESIDENT—Your committee on Libraries to whom was referred Senate file No. 159, a bill for an act to amend the law as it appears in sections seven hundred twenty-nine (729) of the supplement to the code and four hundred twenty-two of the code, relating to the powers of trustees of public libraries, and to provide for the use of same by residents outside of corporate limits of the town or city in which the library is located, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out all after the word "contract," in section one, (1) in the sixteenth line thereof.

Also by adding, at the end of section two (2), the following: "and to levy a tax, not exceeding one mill on the dollar, of the taxable valuation of the county, outside the corporate limits of the cities and towns located therein"

Also, by adding a new section four (4) to the bill, and by changing the present number of section four (4), to number five (5), and when so amended the bill do pass.

C. J. A. ERICSON,
Chairman.

Ordered passed on file.

Senator Stuckslager, from the committee on Banks, submitted the following report:

MR. PRESIDENT—Your committee on Banks to whom was referred Senate file No 117, a bill for an act amending section eighteen hundred seventy-one (1871) of the code, relating to the examination of state and savings 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 same be amended by striking out of the printed bill, the words "last half" in line four (4) and substituting in lieu thereof the word "month;" and by striking out the words "last half" in line five (5) and substituting the word "month" in lieu thereof, and when so amended the bill do pass.

W. C. STUCKSLAGER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Banks to whom was referred House file No. 58, a bill for an act to amend section eighteen hundred fifty (1850) of the code in relation to the investment of funds of savings 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 same do pass.

W. C. STUCKSLAGER,
Chairman.

Ordered passed on file.

Senator Courtright, 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. 101 a bill for an act to provide for the government of certain cities (amending title five (5) of the code,) beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

O. B. COURTRIGHT,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 208, a bill for an act to amend section twenty-one hundred fifty-eight (2158), chapter eight (8), title ten (10) of the code, referring to telegraph and telephone lines, beg leave to report that they

have had the same under consideration and have instructed me to report the same back to the Senate with the following amendments:

Amend the title by striking therefrom the words, "chapter eight (8), title ten (10)."

Amend section one (1) by striking from the last line thereof the words "it to make extension", and inserting in lieu thereof the words "such extensions and improvements."

And when so amended the bill do pass.

O. B. COURTRIGHT,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns to whom was referred House file No. 107, a bill for an act to amend section nine hundred seventy-five (975) of the code relating to delinquent taxes in cities unde special charter, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

O. B. COURTRIGHT,
Chairman.

Also:

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turner, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT: Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 59, a bill for an act to amend section twenty-five hundred sixty-seven (2567) of the code so as to include the reporting of divorces and to change the time of reporting marriages and divorces to the State Board of Health.

Also:

House file No. 66, a bill for an act providing punishment for the injury or destruction of sidewalks. (Additional to chapter four (4) of title twenty-four (24) of the code.)

Also:

House file No. 115, a bill for an act to amend section number twenty-nine hundred forty-one (2941) of the code relative to recording instruments affecting lots in cities and towns or villages, in separate books.

Also:

House file No. 128, a bill for an act providing for the payment of preliminary expenses in connection with drainage districts, and making suitable provision for same.

D. W. TURNER,
Chairman Senate Committee.
H. L. SPAULDING,
Chairman House Committee,

Ordered passed on file.

Senate resumed consideration of Senate file No. 30, which was under consideration at adjournment yesterday.

On the question, Shall the amendments offered by Senator Turner be adopted?

The yeas were:

Hayward, Jones, Spaulding, Turner, Wilson of Clinton, Young of Calhoun—6.

The nays were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Elerick, Ericson, Gillilland, Harper, Hartshorn, Hasselquist, Hopkins, Hughes, Jackson, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Stirton, Stuckslager, Taylor, Wade, Warren, Whipple—29.

Absent or not voting:

Eckles, Gale, Garst, Hogue, Jamison, Kimmel, Kinne' Saunders, Smith of Des Moines, Smith of Mitchell, Stookey, Wilson of Fayette, Winne, Young of Lee, Young of Washington —15.

So the amendment was lost.

Senator Saunders was called to the chair at 11:15 A. M.

Senator Jackson offered the following substitute for Senate file No. 30, and moved that it be substituted for the original bill.

SUBSTITUTE FOR SENATE FILE NO. 30.

A BILL for an act to repeal sections twenty-seven hundred thirty-four (2734) twenty-seven hundred thirty-five (2735), twenty-seven hundred thirty-six (2736), twenty-seven hundred thirty- seven (2737) of the code, and sections twenty-seven hundred thirty-four (2734), twenty-seven hundred thirty-six (2736) and twenty-seven hundred thirty-seven (2737) of the suppplement to the code, and to define the qualifications of county superintendents; to provide for the examination and certification of teachers for the public schools; the classification of teachers and the registration of the same.

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

Section 1. There is hereby repealed sections twenty-six hundred thirty-two (2632), twenty-seven hundred thirty-four (2734), twenty-seven hundred thirty-six (2736), twenty-seven hundred thirty-seven (2737) of the code, and sections twenty-seven hundred thirty-four, (2734), twenty-seven hundred thirty-six (2736), twenty-seven hundred

thirty-seven (2737), of the supplement to the code, and the following enacted in lieu thereof:

Section 2. The county superintendent, who may be of either sex, shall be the holder of a first grade certificate as provided for in this act, and shall, during his term, be ineligible to the office of any school director or member of the board of supervisors. If for any cause he is unable to attend to his official duties, he may appoint a deputy, who may act in his stead ,except in visiting schools and trying appeals. He shall serve as the organ of communication between the superintendent of public instruction and school township district or independent district authorities, and transmit to them or the teachers thereof all blanks, circulars or other communications designed for them. He shall visit the different schools in his county at least once during the school year and at such other times as he may be requested by a majority of the directors of any school corporation. The county superintendent shall on the first Monday of each month file with the county auditor an itemized and sworn statement of actual traveling expenses incurred during the previous month in visiting schools and in attending educational meetings within his county, and such expenses shall be paid by the county board of supervisors, but the total amount paid for any months shall not be more than twenty dollars.

Section 3. On the last Friday and Wednesday and Thursday preceding in the months of January, June, July, and October, the county superintendent shall meet with, and with such assistants as may be necessary, examine all applicants for a teachers certificate. Such examination shall be held at the county seat in a suitable room which shall be provided for that purpose by the board of supervisors. The questions in such examinations shall be furnished by the educational board of examiners, who shall cause the same to be printed, and the examinations shall be conducted strictly under rules prescribed by the board.

Section 4. The examination for the first grade certificate shall include competency in and ability to teach orthography, reading, writing, arithmetic, geography, grammar, history of the United States, didactics, elementary civics, elementary algrebra, elementary economics, elementary physics, elements of vocal music, physiology and hygiene, which in each division of the subject shall include special reference to the effects of alcohol, stimulants and narcotics upon the human system.

Section 5. The examination for a second grade certificate or third grade certificate shall include competency in and ability to teach the above named subjects, excepting elementary civics, elementary economics, elementary algebra and elementary algebra and elementary physics.

Section 6. A record shall be kept by the county superintendent of all examinations taken within his county, with the name, age, and residence of each applicant, and the date of the examination.

Section 7. Applicants who have taught successfully for at least thirty-six weeks, or who have completed a course of study in an ap-

proved college or normal school and whose examination entitles them to the first grade certificate, shall receive the same for a term of three years from the date thereof, and such certificate shall be renewable without examination provided the applicants shall show by examination or otherwise that at least one line of professional inquiry has been successfully conducted during the life of the certificate, it being made the duty of the board to forward with each certificate subject to renewal outlines setting forth various lines of professional study. It is provided further that each application for renewal shall be accompanied by such proof of successful experience and professional spirit as the educational board of examiners may require.

Section 8. Applicants whose examination entitles them to the second grade certificate only, shall receive the same for not to exceed two years, with the privilege of one renewal without further examination, under the same rules as govern the removal of first grade certificates.

Section 9. Applicants whose examination entitles them to the third grade certificate only shall receive the same for six months provided that the county superintendent may at his option extend such certificate to the first day of the July following its issue. A third grade certificate shall not be renewed and not more than two such certificates shall be issued to the same person.

Section 10. Applicants who have had no experience in teaching, but whose examination entitles them to the first grade, shall receive a second grade certificate for two years, provided that when they have taught successfully under such certificate for not less than thirty-six weeks, they shall be entitled to receive a first grade certificate on the conditions herein provided for a renewal of certificate.

Section 11. Before admitting any one to the examination, the county superintendent must be satisfied that the person seeking a certificate is of good moral character, of which fact he may require proof, and is in all respects other than in scholarship possessed of the necessary qualifications as an instructor, and such county superintendents shall conduct all examinations and mark all papers and issue or deny certificates thereunder.

Section 12. As soon as the examination is completed the county superintendent shall forward to the superintendent of public instruction duplicate question and answer papers written, with his markings thereon. The result of such examination of persons who pass the same shall be entered upon a certificate provided by such county superintendent and delivered by him to the person entitled thereto.

Section 13. Each applicant for a certificate shall pay a fee of one dollar, on-half of which shall be paid into the state treasury on or before the first day of the succeeding month, and one-half shall be paid into the county institute fund.

Section 14. No person shall teach in any public school in this state whose certificate has not been registered with the county superintendent of the county in which such school is located. A registration fee

of one dollar shall be charged for each year, or part of the year, for which the certificate or diploma is registered. All registration fees shall be paid into the county institute fund.

Section 15. In case a sufficient number of life diplomas, state certificates, first grade certificates and second grade certificates are held in any county to supply the schools thereof, it shall not be incumbent on the county superintendent to register third grade certificates.

Section 16. When a sufficient number of licensed teachers cannot be secured to fill the schools of any county, the county superintendent may appoint a special examination for such county to be conducted in all respects as a regular examination and the answer papers to be forwarded to the State Superintendent as required in regular examinations, and thereupon provisional certificates may be issued by the county superintendent.

Section 17. All certificates provided for in this act, except the third grade certificates, shall be valid in any county within the state, when registered in such county, but a provisional certificate shall be valid, upon registration, only in the county in which it is issued and shall be issued for the same time and subject to the same extention as a third grade certificate, but no person shall be entitled to receive more than one provisional certificate.

Section 18. When in the judgment of the county superintendent there is probable cause for the revocation of a certificate or diploma held by any teacher employed in this county, or when charges are preferred, supported by affidavits charging incompetency, immorality, intemperance, cruelty, or general neglect of the business of the school, the county superintendent shall within ten days transmit to such person a written statement of the charges preferred and set the time and place for the hearing of the same, at which trial the teacher shall be privileged to be present and make defense. If in the judgment of the county superintendant there is sufficient grounds for the revocation of the certificate or diploma, he shall at once issue in duplicate an order revoking the certificate or diploma, and the same shall become operative, and of full force and effect ten days after the date of its issue, one copy of the order to be mailed to the holder of the certificate and the other to be mailed to the superintendent of public instruction. Provided that the person aggrieved by such order shall have the right to appeal to the superintendent of public instruction within ten days from the date of such mailing and in case of appeal the revocation shall not be effective until the same is affirmed after full hearing by the superintendent of the public instruction.

Section 19. The county superintendent shall annually on the first Monday of September, file with the State Superintendent of Public Instruction a list of all persons who for the preceding year have held certificates and have attended the normal institute, with the number of days attendance of each.

Section 20. This act shall take and be in force on and after October 1, 1906.

Senator Dowell moved the previous question on the substitute.

Carried.

On the question, Shall the substitute be substituted for the bill, a roll call was demanded.

The yeas were:

Bleakly, Crawford, Eckles, Elerick, Jackson, Lyons, Newberry, Spaulding, Taylor, Wade, Wilson of Fayette.—11.

The nays were:

Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hopkins, Hughes, Jamison, Jones, Kimmel, Lambert, Lewis, Maytag, Stirton, Stuckslager, Turner, Warren, Wilson of Clinton, Young of Calhoun—26.

Absent or not voting:

Gale, Hayward, Hogue, Kinne, Molsberry, Saunders, Smith of Des Moines, Smith of Mitchell, Stookey, Whipple, Winne, Young of Lee, Young of Washington—13.

So the substitute was lost.

President Herriott resumed the chair at 11:50 o'clock, A. M.

The President announced as committee on program for Washington's birthday: Senators Harper, Dunham, Lambert.

The time having arrived the Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, February 22, 1906.

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. John S. Pollock, of Clarion, Iowa.

PETITIONS AND MEMORIALS.

Senator Hartshorn presented petition of forty residents of Iowa Falls asking the passage of a law prohibiting the playing of base ball on the Sabbath.

Referred to committee on Judiciary.

Senator Wilson of Fayette presented petition of thirty-three constituents favoring the Woman Suffrage bill.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Jamison presented petition of seventy-seven residents of Clarke county asking for the passage of a law prohibiting the playing of base ball on the Sabbath.

Referred to committee on Judiciary.

Senator Bruce presented petition of seventy-five residents of Cass county favoring the enactment of a law prohibiting the playing of base ball on the Sabbath.

Referred to committee on Judiciary.

Senator Bleakly presented petition of Cherokee Lodge No. 387 of B. R. C. of A. and International Union No. 298 of Cherokee, Iowa, protesting against the proposed law in regard to exemptions.

Referred to committee on Judiciary

Senator Crawford presented remonstrance of citizens of Dubuque, Iowa, against the passage of the bill requiring the publishing of formula on patent medicines.

Referred to committee on Public Health.

Senator Bleakly presented petition of International Union No. 298 and Cherokee Lodge No. 387 Brotherhood of Railway Car-men of Cherokee protesting against the proposed law prohibiting "picketing".

Referred to committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Garst, Senate file No. 238, a bill for an act to amend section six hundred forty-nine (649) and six hundred fifty-one (651) of the code, relative to the election of town clerk, and making the office appointive in cities and towns.

Read first and second time and referred to committee on Cities and Towns.

By Senator Bleakly, Senate file No. 239, a bill for an act to amend the law as it appears in section twenty-four hundred forty-eight (2448) of the code relating to the establishment of saloons within certain distances of specified buildings and places, and to include cemeteries among the places affected by the provisions of said section.

Read first and second time and referred to committee on Suppression of Intemperance.

By Senator Saunders, Senate file No. 240, a bill for an act to revise the law relating to the sentence and commitment of persons convicted of crime and providing for a system of reform and parole and to create the necessary officers therefor, defining their powers and duties, and to fix their compensation, and appropriating the money necessary to carry the same into effect, and to repeal all acts and parts of acts in conflict therewith.

Read first and second time and referred to committee on Judiciary.

Senator Young of Calhoun asked unanimous consent to refer Senate file 221 to committee on Public Health.

Granted.

Senator Whipple from the Insurance committee, asked unanimous consent to recall House file No. 5.

Granted.

The following invitation was received and read:

PLYMOUTH CHURCH, DES MOINES, IOWA, February 21, 1906

The Hon. John Herriott, President of the Senate:

MY DEAR SIR—In behalf of Plymouth Church and Choir I extend a most cordial invitation to you and the Senate to attend a patriotic song service in Plymouth Church, Sunday at 7:30, to do honor to the lives of Washington and Lincoln. This invitation includes the Senate ladies.

Sincerely yours,

F. W. HODGDON,
Minister Plymouth Church.

REPORT OF COMMITTEE.

Senator Bleakly from the committee on Public Lands, submitted the following report:

MR. PRESIDENT—Your committee on Public Lands to whom was referred Senate file No. 133, a bill for an act to grant and relinquish to the City of Council Bluffs, Iowa, the title of the State of Iowa in and to Big or Spring Lake located in Pottawattamie 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 same do pass.

JNO. L. BLEAKLY,
Chairman.

Ordered passed on file.

Senator Saunders from the committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your committee on Penitentiaries and Pardons to whom was referred Senate file No. 100, a bill for an act to amend the law as it appears in chapter eight (8), title thirteen (XIII) of the code, so as to raise the maximum age of commitment of females to the Industrial School to eighteen years and to raise the limit of the age of discharge therefrom to twenty-one 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 amended by the adoption of the following substitute, and when so amended the bill do pass.

C. G. SAUNDERS,
Chairman.

Ordered passed on file.

SUBSTITUTE FOR SENATE FILE NO. 100.

A BILL for an act to amend section twenty-seven hundred eight (2708) of the code so as to raise the maximum age of commitment of females to the Industrial School to eighteen years.

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

Section 1. That section twenty-seven hundred eight of title thirteen (XIII) of the code be amended by striking out the words "or girl" in the first line of said section and by inserting after the word "sixteen" in the second line of said section the words "or girl over the age of seven years and under eighteen."

The substitute was read first and second time and ordered printed in the Journal.

Senator Dowell, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 175, a bill for an act to amend sections five hundred sixty-five (565) and eleven hundred thirty (1130) of the code in relation to the election of township clerk and township trustees in townships, a part of which is included within the corporate limits of any city or 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 same be amended by adopting the following substitute, and when so amended the bill do pass.

C. C. DOWELL,
Chairman.

SUBSTITUTE FOR SENATE FILE NO. 175.

A BILL for an act to amend section five-hundred sixty-five (565) of the code and the law as it appears in section eleven hundred thirty (1130) of the supplement to the code in relation to the election of township clerk and township trustees in townships, a part of which is included within the corporate limits of any city or town:

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

Section 1. Section five hundred sixty-five (565) of the code is hereby amended by adding after the word "assessor" after the comma at the end of line four of said section, "township clerk and township trustee or trustees"; also remove the period at the end of said section five hundred sixty-five (565) and add thereto "township clerk and township trustee or trustees".

Section 2. The law as it appears in section eleven hundred thirty (113 of the supplement to the code is hereby amended by inserting after the "comma" at the end of line five of said section the words "township clerk and trustee or trustees" and by inserting the word "a" before the word "separate" in line six and strike out the letter "s" at the end of the word "ballots" in said line six the first time said word "ballots" appear in said line. Also by adding after the word "assessor" in line ten of sai section the words "township clerk and township trustee or trustees".

Substitute read first and second time and ordered printed in the Journal.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 114, a bill for an act to amend chapter twelve (12) title eighteen (18) of the code, and to determine the priority of certain claims in the distribution of property in the hands of receivers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend section one (1) by inserting after the word "distribution" in the third line thereof, the following words, "after the payment of all costs" and when so amended the bill do pass.

C. C. DOWELL,
Chairman

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 246 a bill for an act to legalize the incorporation of the town of Jamaica, Guthrie County, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done 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 same be amended as follows:

That section one (1) be amended by striking out the word "Legislation", being the last word in said section, and by inserting in lieu thereof the word "litigation" and when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 178 a bill for an act to amend sections eighteen (18) and nineteen (19) of the code in relation to County Auditor's reports to the State Auditor, of codes, supplements to the code and session laws furnished by the Secretary of State to County Auditors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 237 a bill for an act to amend the law relative to appropriation for law library as it appears in section twenty-eight hundred eighty-one-e (2881-e) of the supplement to the code beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
Chairman.

Ordered Passed on file.

Also:

MR PRESIDENT—Your committee on Judciciary to whom was referred Senate file No. 218 a bill for an act to amend section eight hundred fifty-five (855) of the code, relative to Park Commissioners and their powers, 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 same do pass.

C. C. DOWELL,
Chairman,

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 222, a bill for an act to amend section five thousand forty (5040) of the code relative to breach of the Sabbath, beg leave to report that 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. C. DOWELL,
Chairman.

Ordered passed on file.

Senator Bleakly, from the committee on Public Lands submitted the following report.

MR. PRESIDENT—Your committee on Public Lands to whom was referred Senate file No. 164, a bill for an act to grant and relinquish to the city of Council Bluffs, Iowa, the title of the State of Iowa in or to the meandered lake known as Carr lake, beg leave to report that 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.

JOHN L. BLEAKLY.
Chairman.

Ordered passed on file.

Senator Whipple, from the committee on Insurance, presented the following report:

MR. PRESIDENT—Your committee on Insurance, to whom was referred House file No. 197, a bill for an act to repeal chapter sixty-five, (65) acts of the twenty-eighth General Assembly, relating to stipulated premium life insurance 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 the same be amended as follows:

Amend the title by inserting after the words "a bill for an act to repeal" the words "the law as it appears in".

Amend section one (1) by inserting after the word "that" in the first line of said section, the words "the law as it appears in", and when so amended the bill do pass.

W. P. WHIPPLE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Insurance, to whom was referred House No. file 198, a bill for an act to repeal section seventeen hundred eighty-four (1784), of the supplement of the code, relating to assessment life insurance associations, and enact 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 recommendation that the title of the bill be amended by inserting after the words, "a bill for an act to repeal" the words "the law as it appears in."

Amend section one (1) of the bill by inserting after the word "that" in the first line of said section the words "the law as it appears in", and when so amended the bill do pass.

W. P. WHIPPLE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Insurance, to whom was referred House file No. 199, a bill for an act to amend section sixteen hundred eighty-nine (1689) of the code, relating to mutual insurance companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

W. P. WHIPPLE,
Chairman.

Ordered passed on file.

Senate resumed the consideration of Senate file No. 30 which was under consideration at adjournment yesterday.

Senator Jamison was called to the chair at 10:20 A. M.

President Herriott resumed the chair at 10:35 A. M.

Senator Bleakly moved that when the Senate adjourn it be until 2:30 P. M.

Carried.

The Journal of yesterday was taken up, corrected and approved.

The President announced that the time had arrived which had been set aside in commemoration of the life and public services of George Washington.

President Herriott spoke as follows:

SENATORS—It is meet and proper that we lay aside our Legislative duties on this 174th anniversary of the birth of the grand, central figure in the contest of the revolution. Last summer I sojourned for several months in the section of the country where Washington was born and reared. On my return on coming home we passed up over a hundred miles of the route which General Braddock and his army, under the guide of Washington, following the little mountain stream of Wills Creek to its source, and thence over the mountains by the site of old Fort Necessity. It was inconceivable to me, even at this time, how an army, let alone artillery and a baggage train, could now even make or pass through that tortuous mountain defile. I thought over all his earlier effort in his explorations of the country prior and subsequent to this ill-fated campaign. You will no doubt recall that he left the Doctor's care at Great Meadows to participate in the disastrous engagement fought at Braddock fields; of his pleading with General Braddock to change his methods of the attack of the foe, hidden in that dense forest that covered all the hills and valleys of the country at that time. I recall the courage and heroism of Washington and his provincials in saving the remnant of the ill-fated expedition, after the regulars had been driven by the well directed volleys and the Demoniac yells of the unseen enemy that frightened the soldiers of the king. There were lacking in Washington elements which dazzle, glitter and delight the multitude, but he possessed fewer inequalities and a rarer union of virtues than perhaps is ever alloted to one man, prudence, firmness, sagacity, unerring judgment, immovable justice, a courage that never faltered, a patience that never wearied, truth that disdained all artifice. In a pre-eminent degree he possessed the requisite qualities of a leader in that most sacred of causes. Commonplace exaggeration would wrong his moral grandeur. False glare and melo-dramatic recital of his military operations would do injustice to his sacred memory. We do not need to dwell upon his civic greatness, his general-ship, they are house-hold words, but rather it would be well for us to briefly examine the great structure which he and his compatriots laid, the corner-stone of a nation today. History is a recital of what men said, thought, did, and tried to do. His efforts in the constitutional convention of 1789 are today considered by the careful students of history as being the most potent of any member that formed that great charter under which we live. Our constitution was the collation of the wisdom of the ages, which should be taught in every school-room in

this broad land. It has won the students of statescraft's commendation everywhere. It has withstood the shock of four foreign wars, and the most gigantic rebellion of all history. It will not be unobserved by the students of history that for seventy years there was a determined effort and agitation for the abridgment of human rights, the recital of which aroused the indignation of the nation at the wrongs committed. It will also be noted that silent forces were at work undermining their plans as if by divine hand. The builders of our nation at that time were not far enough advanced from the feudal ages to demand what they recognized and placed in the Declaration of Independence. That conflict of ideas was the germ of the rebellion of 1861-65 and ended in the revolution that culminated at Appomatix and made the Declaration of Independence a living reality. Illustrious man. Byron declared him to be

"The first, the last, the best,
The Cincinatus of the West."

The last address of George Washington to the American people was read by Secretary Geo. A. Newman.

Address by Senator Saunders.

Senator Molsberry spoke as follows:

MR. PRESIDENT—It has been said that the nation that attains greatness must have great men to assume leadership in every important epoch of its history, and in order to retain greatness its people must cherish their memories by recounting their virtues when they have passed from the stage of human activities. If this be true, and the number of great leaders that have arisen within a given time bear any relation to the national standing, it is little wonder that the United States occupies an enviable position today among the nations of the earth. More than a century and a half has passed since Washington was born; more than a century and a quarter since he was called to lead, against a powerful foe, a little band of patriots whose poverty and lack of equipment for warfare compared favorably with the condition of their country in its hour of need. What they lacked in material equipment was made up by intense zeal and enthusiasm in the holy cause of liberty. Their success has been told by the inexorable pen of the historian, and as we pause from legislative duties to honor the name of the great citizen-soldier we can only mention Bunker Hill and Yorktown and Valley Forge, and these must suffice to carry the mind back to the time when we fought to live, and lived to bless mankind. What would our annals be today had it not been for George Washington? Some there are, no doubt, who would declare that there would have been others to take his place, but however that may be no other took his place and I think that without being charged with extravagant eulogy we may well say that all we are and all we expect or can hope to be is due to the efforts of Washington the soldier and Washington the statesman. It is well then that on this occasion we acknowledge our indebtedness to this great character, for it is fast becoming a fixed principle in this age of commercialism to accept what we find at hand, extract whatever good we can and selfishly pass on without considering the sacrifice or comprehending the efforts

of those who labored that we might enjoy. Washington was not an intemperate enthusiast. By nature he was refined, calm under most trying circumstances, a man of great earnestness, and of a kind disposition. His patriotism did not manifest itself in turgid oratory, but with quiet dignity his actions, his work, expressed the emotions of his soul. There are those who judge the depths of the sea by the foam that lightly rides the billows, those who mistake voluble pedantry for profound philosophy. To such Washington would appear mediocre, while to those who appreciate great strength of character and unselfish patriotism, however modest their manifestations, Washington occupied a pre-eminent position in the Revolutionary period of our history, and to him and his efforts we accord everlasting praise for our national existence, welfare and happiness. The sun, rising as it were out of old Atlantic's immeasurable depths of blue, causes the shifting spray to glimmer in its brightening rays as the waves are dashed back from our rock-bound New England coast, it gilds the Alleghany mountain tops, reveals the broad, rich prairies of the Mississippi, and sinks to rest behind the snow-capped Rockies. In all its course it shines upon no happier or more prosperous people than those of the United States, made such by the blessings of liberty. To Washington and all the patriot fathers of the Revolution be the glory now and forevermore.

Senator Harper spoke as follows:

MR. PRESIDENT—I sometimes think we place Washington on too high a pedestal. We elevate him to such a degree that the plain people are too apt to look upon him not as a man but a demi-god. I like to look upon Washington as a man of flesh and blood, a man posessing the same weaknesses, passions, short comings, hopes, fears and aspirations as you and I possess.

In some lines of his life work Washington was not as great a man as others who have appeared on the world's stage in the same lines. Measured by the standard of a Napoleon, a Wellington, a Grant or a Sherman, Washington was not one of the world's greatest soldiers. Measured by the standard of a Pitt, a Gladstone, a Webster, a Seward or a Douglas, Washington was not one of the world's greatest statesmen, but measured by the standard of patriotism, Washington was one of the greatest patriots the world has ever seen.

Washington was great in the attributes that make a strong man and a strong character. He was great in honesty, fidelity, courage, judgment and steadfastness. Washington has proven his greatness at many a critical period in the history of his country. Washington proved his greatness at Braddock's defeat when he placed himself at the head of his Virginians and hurled back the savage foe and saved the British army from annihilation. Washington proved his greatness when he accepted the position of Commander-in-chief of the Continental army fully realizing the sacrifice and hardships that he would have to endure. Washington proved his greatness when on a dark, winter night he crossed the icy Delaware with his ragged and bleeding soldiers and captured the Hessian garrison at Trenton.

Washington proved his greatness at Valley Forge when with his indomitable will and patriotism, he stilled the murmurings of his freezing, starving soldiers and prevented them from deserting. Washington proved his greatness on the field of Monmouth, when he encountered the traitor Gen-

eral Lee in full retreat, and in a towering rage, cursed him and sent him to the rear, and like Sheridan at Winchester, rallied his broken battallions and snatched victory from defeat. Washington proved his greatness at Yorktown when in the hour of his greatest victory he extended to his fallen foe liberal and generous terms. Washington proved his greatest greatness when, at Williamsburg, he was put to the most crucial test to which ever man was subjected, when he spurned the offer of a crown or a dictatorship and refused to become a Caesar or a Cromwell.

Washington has left to us a great inheritance in his farewell address. This paper is one among the greatest instruments that has ever been written. It ranks little below the Sermon on the Mount and is of equal importance to Magna Charta. If we, as a people, are guided by the precepts of this great paper, as a nation we will live on and on forever.

Address by Senator Garst.

Senator Gillilland spoke as follows:

I rise only to remark that there was one characteristic in the life of Washington that has not been sufficiently emphasized. He was a devout man. He had such a living faith in God that it gave him also a profound faith in his fellowman.

The Senate stood adjourned until 2:30 P. M.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2:30 o'clock P. M., President Herriott presiding,

Senate resumed consideration of Senate file No. 30 which was under consideration this morning.

Senator Stookey was called to the chair at 2:45 o'clock P. M.

The President resumed the chair at 2:55 P. M.

On request of Senator Wilson of Clinton leave of absence was granted Senator Lyons until tomorrow.

On request of Senator Young of Washington leave of absence was granted Senator Young of Lee until tomorrow.

On request of Senator Courtright leave of absence was granted Senator Newberry until tomorrow.

On request of Senator Courtright leave of absence was granted Senator Gale until tomorrow.

Senator Elerick moved the previous question.

Carried.

Senator Warren moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Crawford, Crossley, Dowell, Dunham, Elerick, Ericson, Garst, Gillilland, Harper, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jamison, Jones, Kimmel, Lewis, Molsberry, Saunders, Stirton, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Clinton, Winne, Young of Calhoun—32.

The nays were:

Courtright, Eckles, Hartshorn, Jackson, Lambert, Maytag, Smith of Des Moines, Smith of Mitchell, Spaulding, Stookey, Taylor, Wilson of Fayette, Young of Washington—13.

Absent or not voting:

Gale, Kinne, Lyons, Newberry, Young of Lee—5.

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

Senator Gillilland called up the concurrent resolution offered by him February 20th.

Senator Crawford raised the point of order that the letter about to be read by Senator Smith of Mitchell was an anonymous letter.

The Chair held that an anonymous letter could not be read but that passages could be quoted therefrom.

Senator Jamison moved the previous question.

Carried.

On the question Shall the concurrent resolution be adopted a roll call was demanded.

The yeas were:

Bleakly, Brooks, Bruce, Crawford, Crossley, Dowell, Ericson, Garst, Gillilland, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackon, Jones, Kimmel, Lambert, Lewis, Maytag, Molsberry, Saunders, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Calhoun, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Courtright, Dunham, Eckles, Elerick, Gale, Harper, Hartshorn, Jamison, Kinne, Lyons, Newberry, Smith of Des Moines, Taylor, Young of Lee—14.

So the concurrent resolution was adopted.

Senator Crossley moved that the addresses made at this morning's exercises be printed in the Journal.

Carried.

Senator Molsberry moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, February 23, 1906.

Senate met in regular session at 9:30 A. M., President Herriott presiding.

Prayer was offered by the Rev. Wm. J. Luscombe of Clarion, Iowa.

PETITIONS AND MEMORIALS.

Senator Stirton presented petition of constitutents urging the passage of the primary election bill.

Referred to committee on Elections.

Senator Eckles presented petition of constitutents favoring the passage of the primary election bill.

Referred to committee on Elections.

Senator Smith of Des Moines presented petition of residents of Danville, Iowa, asking for the passage of a bill prohibiting the playing of base ball on the Sabbath.

Referred to committee on Judiciary.

President Herriott presented petition of two citizens of Ida Grove, Iowa, favoring the Primary Election bill, the Anti-pass bill and the resolution calling upon Congress to enact railroad rate legislation.

Referred to committee on Elections.

INTRODUCTION OF BILLS

By Senator Smith of Mitchell, Senate file No. 241, a bill for an act to amend section seven hundred sixty eight (768), of the code relating to the enclosing of street car vestibules.

Read first and second time and referred to committee on Railroads.

Senator Smith of Mitchell offered the following concurrent resolution:

Resolved by the Senate the House concurring, That when we adjourn on Wednesday, February 28, it be until 9:30 A. M. Tuesday, March 6, 1906.

REPORT OF COMMITTEE.

Senator Eckles from the committee on Claims submitted the following report:

MR. PRESIDENT—Your committee on Claims to whom was referred Senate file No. 205, a bill for an act to appropriate the sum of seventy-five dollars ($75) to pay Henry Eyler for money advanced by him to the state of Iowa as rent for certain lake beds situated in Wright 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 same do pass and that it be referred to the committee on Appropriations.

CHAS. ECKLES,
Chairman.

Adopted.

The bill was so referred.

MR. PRESIDENT—Your committee on Claims, to whom was referred Senate file No. 111, a bill for an act appropriating the sum of two thousand dollars ($2000) to be paid to Mrs. John Stein in settlement of all claims against the State of Iowa by reason of the death of John Stein, who was killed by a falling scaffold at the Fort Madison penitentiary while working under the orders of the superintendent of construction, beg leave to report that 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 figures "2000" and words "Two Thousand" in the first line of the title of the original bill and substituting in lieu thereof the words "Seven Hundred Fifty" and figures "750".

Amend Section 1 by striking out the figures "2000" and words "Two Thousand" in the third line of said section and inserting in lieu thereof the figures "750" and words "Seven Hundred Fifty".

Amend Section 3 by striking out the figures "2000" and words "Two Thousand" in the third line of said section and inserting in lieu thereof the figures "750" and words "Seven Hundred Fifty.

And the same do pass and that it be referred to the committee on Appropriations.

CHAS. ECKLES,
Chairman.

Adopted.

The bill was so referred.

Senator Courtright asked unanimous consent to take up the concurrent resolution offered by him February 21st.

Consent granted.

Senator Courtright moved the adoption of the concurrent resolution.

Adopted.

The President announced a communication from the Governor which would require an executive session.

It was moved that the Senate do now go into executive session.

Carried.

The Senate went into executive session.

The President laid before the executive session a communication, which was read, as follows:

To the Senate of the Thirty-first General Assembly:

I beg to advise your honorable body that I nominate, and with the consent of two-thirds of the members of the Senate in executive session, shall appoint Gifford S. Robinson, of Sioux City, Woodbury county, Iowa, to succeed himself as a member of the State Board of Control.

The said nomination is hereby respectfully submitted for your consideration.

ALBERT B. CUMMINS,
Governor.

The President referred the appointment to a committee as provided by law.

The President also laid before the executive session the following communication;

To the Senate of the Thirty-first General Assembly:

I beg to advise your honorable body that, subject to your advice and consent, I have appointed Timothy E. McCurdy of Hazelton, Buchanan County, Iowa, custodian of the public buildings and property, for the term of two years, beginning April 1, 1906, and I herewith respectfully submit such appointment for your consideration.

ALBERT B. CUMMINS,
Governor.

The appointment of T. E. McCurdy was approved.

The Senate arose from executive session.

The Senate resumed regular session.

THIRD READING OF BILLS.

Senate file No. 167, a bill for an act making an appropriation for the erection of a monument in Elm Grove cemetery, Wash-

ington, Iowa, over the grave of Timothy Brown, a soldier of the Revolutionary war, with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

By unanimous consent the committee amendments were withdrawn.

The President announced the Senate as in committee of the whole.

The President annnounced the Senate as in regular session.

Senator Young of Washington, moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Lambert, Lewis, Lyons, Maytag, Molsberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Calhoun, Young of Washington—44.

The nays were:

None.

Absent or not voting:

Gale, Kinne, Newberry, Wade, Whipple, Young of Lee—6.

So the bill having received a constitutional majority was declared to have passed the Senate and its title 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 amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 201, a bill for an act to legalize the ordinances, proceedings, acts, resolutions and amendments to the ordinances passed by the city council of Winterset, Iowa, and to legalize all the acts and elections

of the incorporated city of Winterset, in the county of Madison, state of Iowa, and to legalize all the official acts of the city officials of Winterset, Iowa, acting as such officials.

C. R. BENEDICT,
Chief Clerk.

Senate joint resolution No. 3 directing the Governor of the State of Iowa to invite the Governors of the several states to name representatives to an interstate convention, to be held at Des Moines, Iowa, or elsewhere, for the purpose of securing such action on the part of the several states as will result in a constitutional convention for the proposal of an amendment to the constitution providing for the election of United States Senators by a direct vote, and making an appropriation for the expense of calling the same, with report of committee recommending a substitute bill was taken up, considered, and the report of the committee adopted.

The substitute was read for information.

The President announced the Senate as in committee of the whole.

The President announced the Senate as in regular session.

The President announced to the Senate that the committee of the whole recommended the following amendment:

Strike out all of section two (2) of the substitute.

Senator Lambert moved the adoption of the amendment recommended by the committee of the whole.

On the question, Shall the amendment be adopted?

A roll call was demanded.

The yeas were:

Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmell, Lambert, Lyons, Maytag, Molsberry, Smith of Des Moines, Stookey, Stuckslager, Taylor, Wade, Warren, Wilson of Fayette, Young of Calhoun, Young of Washington—35.

The nays were:

Bleakly, Saunders, Smith of Mitchell, Stirton, Turner, Wilson of Clinton—6.

Absent or not voting:

Gale, Garst, Kinne, Lewis, Newberry, Spaulding, Whipple, Winne, Young of Lee—9.

So the amendment was adopted.

Senator Smith of Mitchell asked unanimous consent to call up the concurrent resolution offered by him this morning relative to adjournment.

Consent granted.

Senator Smith of Mitchell moved the adoption of the concurrent resolution.

Adopted.

Senator Garst moved that when the Senate adjourn, it be to meet at 2 o'clock P. M. today.

Carried.

Senator Molsberry offered the following amendment and moved its adoption:

I move to strike out the title and enacting clause and the first four paragraphs of the bill and insert in lieu thereof the following:

"Joint Resolution No. 3. Be it resolved by the Senate, the House concurring."

The hour having arrived the Senate stood adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M., President Herriott presiding.

The Senate resumed consideration of joint resolution No. 3., which was under consideration this morning.

Senator Molsberry asked unanimous consent to substitute the following amendment for the amendment offered by himself this morning.

Consent granted.

I move to strike out of the title of the bill the words "a bill for an act" and insert in lieu thereof the words "joint resolution No. 3."

Also strike out the following words in the title "and making an appropriation for the expenses of calling the same."

Also strike out the words, "Be it enacted by the General Assembly of the State of Iowa" and insert in lieu thereof the words "Be it Resolved by the General Assembly of the State of Iowa."

On the question, Shall the amendment offered by Senator Molsberry be adopted?

The amendment was adopted.

Senator Crawford offered the following amendment, and moved its adoption:

Amend the joint resolution by adding to the first section the following:

"Provided that nothing in this act shall be construed to render the State of Iowa liable for the expenses attendant on the proposed convocation, nor in any manner responsible for the payment of any portion for the same."

Senator Harper moved the previous question on the amendment and on the joint resolution.

Carried

On the question, Shall the amendment offered by Senator Crawford be adopted?

A roll call was demanded.

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Dunham, Elerick, Gillilland, Hartshorn, Hasselquist, Jamison, Jones, Lambert, Molsberry, Smith of Des Moines, Spaulding, Stookey, Stuckslager, Taylor, Young of Calhoun—20.

The nays were:

Crossley, Dowell, Eckles, Ericson, Garst, Harper, Hayward, Hopkins, Hughes, Jackson, Kimmel, Lewis, Lyons, Maytag, Saunders, Smith of Mitchell, Stirton, Turner, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Washington—23.

Absent or not voting:

Gale, Hogue, Kinne, Newberry, Wade, Whipple, Young of Lee—7.

So the amendment was lost.

Senator Crossley was called to the chair at 3:55 o'clock P. M.

On request of Senator Lyons leave of absence was granted Senator Hartshorn for the rest of the day.

Senator Lewis moved that the rule be suspended, and that the joint resolution be considered engrossed, and read a third time now, which motion prevailed, and the joint resolution was read a third time.

On the question, Shall the joint resolution pass?

The yeas were:

Bleakly, Crossley, Dowell, Eckles, Ericson, Garst, Gillilland, Harper, Hayward, Hopkins, Hughes, Jackson, Kimmel, Lambert, Lewis, Lyons, Maytag, Saunders, Smith of Mitchell, Stirton, Taylor, Turner, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Calhoun, Young of Washington—28.

The nays were:

Brooks, Courtright, Crawford, Dunham, Hasselquist, Jamison, Spaulding, Stookey, Stuckslager—9.

Absent or not voting:

Bruce, Elerick, Gale, Hartshorn, Hogue, Jones, Kinne, Molsberry, Newberry, Smith of Des Moines, Wade, Whipple, Young of Lee—13.

So the joint resolution having received a constitutional majority was declared to have passed the Senate and its title agreed to.

The President announced that he had signed in the presence of the Senate, House files Nos. 32, 98, 138, 194 and Senate files Nos. 104, 60, 125, 8, 76, 71, 140 and 155.

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. 196, a bill for an act in relation to penalty on unpaid taxes in cities acting under special charters.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 103, a bill for an act making an appropriation of the sum of four thousand nine hundred seventy-eight dollars twenty-seven cents ($4978.27) to Albert B. Cummins, W. B. Martin, B. F. Carroll, and G. S. Gilbertson to reimburse them for funds advanced for the purpose of completing the tabulation of the State census of 1905.

C. R. BENEDICT,
Chief Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Turner from the committee on Enrolled Bills submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 104, a bill for an act making an appropriation to defray the mileage and expenses of the members of the two joint committees appointed by the Thirtieth General Assembly under joint resolutions, originating in the Senate, numbered 6 and 7.

Also:

Senate file No. 60, a bill for an act to amend section one thousand four hundred seven (1407) of the code relating to the collecting of delinquent taxes.

Also:

Senate file No. 125, a bill for an act to amend section fourteen hundred sixty-seven (1467) of the code, relative to assessment and collection of collateral inheritance tax.

Also:

Senate file No. 8, a bill for an act to prevent the adulteration, misbranding and imitation of foods, to change the name of the office "State Dairy Commissioner" to that of "State Food and Dairy Commissioner" and to define his duties; and repealing sections four thousand nine hundred eighty-two (4982), four thousand nine hundred eighty-four (4984), four thousand nine hundred eighty-seven (4987), four thousand nine hundred ninety-three (4993), four thousand nine hundred ninety-four (4994), four thousand nine hundred ninety-five (4995), four thousand nine hundred ninety-six (4996), four thousand nine hundred ninety-seven (4997), four thousand nine hundred ninety-eight (4998) of the code, and sections four thousand nine hundred eighty-four-a (4984-a), four thousand nine hundred eighty-four-b (4984-b) as they appear in the supplement to the code; and amending section four thousand nine hundred eighty-six (4986) of the code, and making an appropriation for the purpose of carrying out the provisions of the act.

D. W. TURNER,
Chairman.

Ordered passed on file.

Senator Turner from the committee on Enrolled Bills submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 76, for an act to amend the law as it appears in section twenty-five hundred seventy-six (2576) of the supplement to the code so as to change the dates of the meetings of the state board of medical examiners.

Also:

Senate file No. 71, a bill for an act to amend section thirty-five hundred forty (3540) of the code, in relation to the publication of original notices in commencement of actions against unknown defendants, and length of pub lication.

Also:

Senate file No. 140. a bill for an act relating to gifts, devises, or bequests to state institutions.

Also:

Senate file No. 155, a bill for an act to legalize the incorporation of the town of Meservey, Cerro Gordo county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

D. W. TURNER,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turner from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 104, a bill for an act making an appropriation to defray the mileage and expenses of the members of the two joint committees appointed by the Thirtieth General Assembly under joint resolutions, originating in the Senate, numbered 6 and 7.

Also:

Senate file No. 60, a bill for an act to amend section fourteen hundred seven (1407) of the code relating to the collecting of delinquent taxes.

Also:

Senate file No. 125, a bill for an act to amend section fourteen hundred sixty-seven (1467) of the code, relative to assessment and collection of collateral inheritance tax.

Also:

Senate file No. 8, a bill for an act to prevent the adulteration, misbranding and imitation of foods, to change the name of the office of "State Dairy Commissioner" to that of "State Food and Dairy Commissioner" and to define his duties; and repealing sections forty-nine hundred eighty-two (4982), forty-nine hundred eighty-four (4984), forty-nine hundred eighty-seven (4987), forty-nine hundred ninety-three (4993), forty-nine hundred ninety-four (4994), forty-nine hundred ninety-five (4995), forty-nine hundred ninety-six (4996), forty-nine hundred ninety-seven (4997), forty-nine hundred ninety-eight (4998) of the code, and sections forty-nine hundred eighty-four-a (4984-a) and forty-nine hundred eighty-four-b (4934-b), as they appear in

the supplement to the code; and amending section forty-nine hundred eighty-six (4986) of the code, and making an appropriation for the purpose of carrying out the provisions of the act.

D. W. TURNER,
Chairman Senate Committee.
H. L. SPAULDING,
Chairman House Committee.

Ordered passed on file.

Senator Turner from the joint committee on Enrolled Bills submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 32 a bill for an act to amend section five hundred eighty-five (585) of the code relating to townships and township officers.

Also:

House file No. 98, a bill for an act making an appropriation for the purchase of twenty-five thousand (25000) railroad commissioners' official maps to be distributed by the members of the General Assembly and Railroad Commissioners.

Also:

House file No. 138, a bill for an act to amend section forty-eight hundred twenty-one (4821) of the code, relating to hunting on enclosed land.

Also:

House file No. 194, a bill for an act to legalize the incorporation of the town of Ionia, Chickasaw county, Iowa, the election of its officers, the passage of its ordinances and resolutions, and all acts done by the council of said town.

D. W. TURNER,
Chairman Senate Committee.
H. L. SPAULDING,
Chairman House Committee.

Ordered passed on file.

Also:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 76, a bill for an act to amend the law as it appears in section twenty-five hundred seventy-six (2576) of the supplement to the code so as to change the dates of the meetings of the state board of medical examiners.

Also:

Senate file No. 71, a bill for an act to amend section thirty-five hundred forty (3540) of the code, in relation to the publication of original notices in commencement of actions against unknown defendants, and length of publication.

Also:

Senate file No. 140, a bill for an act relating to gifts, devises, or bequests to state institutions.

Also:

Senate file No. 155, a bill for an act to legalize the incorporation of the town of Meservey, Cerro Gordo County, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

D. W. TURNER,
Chairman Senate Committee.
H. L. SPAULDING,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate file No. 104, a bill for an act making an appropriation to defray the mileage and expenses of the members of the two joint committees appointed by the Thirtieth General Assembly under joint resolutions, originating in the Senate, numbered 6 and 7.

Also:

Senate file No. 60, a bill for an act to amend section fourteen hundred seven (1407) of the code relating to the collecting of delinquent taxes.

Also:

Senate file No. 125, a bill for an act to amend section fourteen hundred sixty-seven (1467) of the code relative to assessment and collection of colateral inheritance tax.

Also:

Senate file No. 8, a bill for an act to prevent the adulteration, misbranding and imitation of foods, to change the name of the office of "State Dairy Commissioner" to that of "State Food and Dairy Commissioner" and to define his duties; and repealing sections forty-nine hundred eighty-two (4982), forty-nine hundred eighty-four (4984), forty-nine hundred eighty-seven (4987), forty-nine hundred ninety-three (4993), forty-nine hundred ninety-four (4994), forty-nine hundred ninety-five (4995), forty-nine hundred ninety-six (4996), forty-nine hundred ninety-seven (4997), forty-nine hundred ninety-eight of the code, and sections forty-nine hundred eighty-four-A (4984-A) and forty-nine hundred eighty-four-B (4984-B), as they appear in the supplement to the code; and amending section forty-nine hundred eighty-six (4986) of the code, and making an appropriation for the purpose of carrying out the provisions of the act.

D. W. TURNER,
Chairman.

Also:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report

that they have this day sent to the Governor for his approval, Senate file No. 76, a bill for an act to amend the law as it appears in section twenty-five hundred seventy-six (2576) of the supplement to the code so as to change the dates of the meetings of the State Board of Medical Examiners.

Also:

Senate file No. 71, a bill for an act to amend section thirty-five hundred forty (3540) of the code, in relation to the publication of original notices in commencement of actions against unknown defendants, and length of publication.

Also:

Senate file No. 140, a bill for an act relating to gifts, devises, or bequests to state institutions.

Also:

Senate file No. 155, a bill for an act to legalize the incorporation of the town of Meservey, Cerro Gordo County, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

D. W. TURNER,
Chairman.

The following communication was received and read:

The ladies of the Legislature and all Chautauquans will be tendered a reception and musicale at the home of Mrs. A. E. Shipley, 1328 East Thirteenth St., Saturday afternoon, February 24, by the following ladies: Miss Lizzie Weitz, Mesdames J. W. Cokenower, J. C. Loper, W. F. Wiltsie, Clinton Nourse, A. E. Shipley and Miss Elinore Carrs.

The reception hours are from 2 to 6 and the program will begin at 3 o'clock, under the direction of Miss Laura E. Ellis, vocalist, assisted by Mrs. Lydia Frank, pianist and Mrs. Ada Heist-Oberman, dramatic reader. No formal invitations are issued, but all are cordially invited to attend.

MRS. A. E. SHIPLEY.

The Journal of yesterday was taken up, corrected and approved.

Senator Wilson of Fayette, moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, February 24, 1906.

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. James O'May of Council Bluffs, Iowa.

On request of Senator Bleakly leave of absence was granted Senator Jackson until Monday.

On request of Senator Eckles leave of absence was granted Senator Kimmel until Monday.

On request of Senator Young of Washington leave of absence was granted Senator Young of Lee until Monday.

On request of Senator Gillilland leave of absence was granted Senator Whipple indefinitely.

On request of Senator Lambert leave of absence was granted Senator Wade until Monday.

PETITIONS AND MEMORIALS.

Senator Lyons presented petition of thirty-six of his constituents favoring the passage of the Primary Election bill.

Referred to committee on Elections.

Senator Young of Calhoun, presented petition of residents of Somers, Iowa, protesting against the proposed measure to place an Osteopath on the State Board of Health.

Referred to committee on Public Health.

Senator Lewis presented petition of one hundred thirty voters of Page County, Iowa, favoring the passage of the Anti-Pass bill, the Two Cent Fare bill and a State-wide Primary Election law.

Referred to committee on Elections.

INTRODUCTION OF BILLS.

By Senator Young of Calhoun, Senate file No. 242, a bill for an act to legalize conveyances of real property by executors or trustees under foreign wills.

Read first and second time and referred to committee on Judiciary.

By Senator Taylor, Senate file No. 243, a bill for an act providing for assessing mutual telephone companies.

Read first and second time and referred to committee on Ways and Means.

Senator Saunders moved that when the Senate adjourn today it be until 2 P. M. Monday next.

Carried.

HOUSE MESSAGES CONSIDERED.

House file No. 196, a bill for an act in relation to penalty on unpaid taxes in cities acting under special charters.

Read first and second time and referred to committee on Cities and Towns.

Senate file No. 103, a bill for an act making an appropriation of the sum of forty-nine hundred seventy-eight dollars twenty-seven cents ($4978.27) to Albert B. Cummins, W. B. Martin, B. F. Carroll, and G. S. Gilbertson to re-imburse them for funds advanced for the purpose of completing the tabulation of the state census of 1905.

Ordered passed on file.

House amended and passed Senate file No. 201, a bill for an act to legalize the ordinances, proceedings, acts, resolutions and amendments to the ordinances passed by the city council of Winterset, Iowa, and to legalize all the acts and elections of the incorporated city of Winterset in the county of Madison, state of Iowa, and to legalize all of the official acts of the city officials of Winterset, Iowa, acting as such officials.

Ordered passed on file.

By unanimous consent Senate file No. 201, a bill for an act to legalize the ordinances, acts, proceedings, and amendments to

the ordinances passed by the city council of Winterset, Iowa, and to legalize all the acts and elections of the incorporated city of Winterset, in the county of Madison, State of Iowa, and to legalize all the official acts of the city officials of Winterset, Iowa, acting as such officials, was taken up and considered.

Senator Crossley moved that the following House amendment be concurred in:

Amend Senate file 201 by inserting between the words "city" and "acting" in the seventh line of the first paragraph, the words "of Winterset."

The yeas were:

Bleakly, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hasselquist, Hughes, Jones, Lambert, Lewis, Lyons, Maytag, Smith of Des Moines, Smith of Mitchell, Spaulding, Taylor, Turner, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Calhoun, Young of Washington—30.

The nays were:

None.

Absent or not voting:

Brooks, Bruce, Gale, Hartshorn, Hayward, Hogue, Hopkins, Jackson, Jamison, Kimmel, Kinne, Molsberry, Newberry, Saunders, Stirton, Stookey, Stuckslager, Wade, Whipple, Young of Lee—20.

So the House amendments were concurred in.

REPORTS OF COMMITTEES.

Senator Crossley, 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 to amend section two thousand seven hundred and thirty-eight (2738) chapter thirteen (13) title thirteen (13) of the Code and the supplement to the code pertaining to the support of normal institutes and defining the duties of the Board of Supervisors in 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 the same be indefinitely postponed.

JAMES J. CROSSLEY,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Crossley from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools to whom was referred House file No. 52, a bill for an act to repeal section one hundred thirty-seven (137) of the code, relative to the publication and distribution of the proceedings of the Iowa State Teachers' Association 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 same be amended by striking out the publication clause, section 2, and when so amended the bill do pass.

JAMES J. CROSSLEY,
Chairman.

Ordered passed on file.

MESSAGES FROM THE HOUSE.

The following message was received from the House:

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

Senate concurrence resolution regarding the enactment of a pure food law by Congress.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Concurrent resolution requesting the Senators and Representatives in Congress of the United States from Iowa to do certain things in reference to transportation charges.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 258, a bill for an act to legalize the appointment of trustees for Cedar township, Linn county, Iowa, by the auditor of said county for the year 1906.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 269, a bill for an act to amend section seventeen hundred nine (1709) of the supplement to the code, relative to the insurance of live stock.

C. R. BENEDICT,
Chief Clerk.

On motion of Senator Courtright House file No. 269 was placed on the calendar without reference.

THIRD READING OF BILLS.

Senate file No. 187, a bill for an act to amend division twenty (20) of section four hundred and twenty-two (422) of the code relating to the powers of the Board of Supervisors with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Wilson, of Clinton, offered the following amendment and moved its adoption.

Amend line four (4) of the bill by striking out the word "Board" and insert "County Farmers' Institute" in lieu thereof.

Senator Elerick moved the previous question on the amendment and the bill.

Carried.

On the question, Shall the amendment offered by Senator Wilson of Clinton be adopted?

A roll call was demanded.

The yeas were:

Crossley, Ericson, Lambert, Lyons, Maytag, Saunders, Spaulding, Wilson of Clinton—8.

The nays were:

Bleakly, Brooks, Courtright, Crawford, Dowell, Eckles, Elerick, Garst, Gillilland, Harper, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Jones, Lewis, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Wilson of Fayette, Winne, Young of Lee, Young of Washington —29.

Absent or not voting:

Bruce, Dunham, Gale, Hartshorn, Hogue, Jackson, Kimmel, Kinne, Molsberry, Newberry, Wade, Whipple, Young of Calhoun—13.

So the amendment was lost.

Senator Gillilland moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Jones, Lewis, Lyons, Newberry, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wilson of Fayette, Wilson of Clinton, and Young of Washington—32.

The nays were:

Saunders, Taylor, Warren, Winne, and Young of Calhoun—5.

Absent or not voting:

Gale, Hartshorn, Hogue, Jackson, Kimmel, Kinne, Lambert, Maytag, Molsberry, Spaulding, Wade, Whipple, and Young of Lee—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its titled agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Senate concurrent resolution relative to furnishing certain clerks with copies of the code and supplements to the code and the session laws of the Thirtieth and Thirty-first General Assembly.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Senate concurrent resolution relative to adjournment from February 28th until March 6th.

C. R. BENEDICT,
Chief Clerk.

Senator Garst moved that the Senate do now go into Executive Session.

Carried.

The Senate went into Executive Session.

The committee to whom was referred the appointment of Gifford S. Robinson of Sioux City, Woodbury county, Iowa, to succeed himself as a member of the State Board of Control, reported in favor of confirmation.

The report of the committee was adopted.

On a call of the roll more than two-thirds of the Senators voting for confirmation, the nomination was consented to and confirmed.

The Senate resumed regular session.

THIRD READING OF BILLS.

Senate file No. 43, a bill for an act to amend sections eleven hnndred six (1106), eleven hundred nine (1109), eleven hundred nineteen (1119), eleven hundred twenty (1120) and eleven hundred twenty-one (1121) of the code relating to elections, form of, and manner of marking the ballots, with report of committee recommending amendments and passage was taken up, considered, and the report of the committee, adopted.

Senator Crossley was called to the chair at 11:20 o'clock A. M.

Senator Smith of Mitchell, moved the adoption of the following committee amendments.

Amend section 1 by inserting the words "the law as it appears in" between the words "that" and "section" in the first line.

Also by inserting the words "of the supplement to the code" between the figures "1106" and the word "be" in the first line of said section.

Amend the bill by striking out section 3 and substituting the following in lieu thereof:

That the law as it appears in section eleven hundred nineteen (1119) of the supplement to the code be amended by striking out the words beginning with the word "or" in the third line thereof and ending with the word "ticket" in the fifth line thereof.

Also by striking out the words beginning with the word "or" in the ninth line and ending with the word "circle" in the tenth line thereof.

Senator Smith of Mitchell, moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Crawford, Crossley, Dowell, Eckles, Garst, Gillilland, Harper, Hasselquist, Hughes, Jamison, Lambert, Lewis,

Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Calhoun, Young of Washington.—31.

The nays were:

Bruce, Courtright, Dunham, Hayward, Jones, Spaulding—6.

Absent or not voting:

Eckles, Elerick, Gale, Hartshorn, Hogue, Hopkins, Jackson Kimmel, Kinne, Molsberry, Wade, Whipple, Young of Lee—13.

Senator Smith offered the following amendment to the title and moved its adoption:

Amend the title so it shall read:

A bill to amend section eleven hundred nine (1109), eleven hundred twenty (1120), and eleven hundred twenty-one (1121) of the code, and to amend the law as it appears in sections eleven hundred six (1106) and eleven hundred nineteen (1119) of the supplement to the code relating to elections form of, and manner of marking the ballots.

Adopted.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended agreed to.

The President resumed the chair at 11:40 o'clock A. M.

Senate file No. 184, a bill for an act to legalize the acts of the town of Ida Grove, Iowa, and its council and officers, relating to the erection of a public building and fire station in the incorporated town of Ida Grove, Iowa, and the subsequent acts of the officers of said town in relation thereto, with report of committee recommending passage was taken up, considered, and the report of the committee, adopted.

Senator Bleakley moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, aud the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hasselquist, Hayward, Hughes, Jamison, Jones, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuck-

slager, Taylor, Turner, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Calhoun, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Gale, Hartshorn, Hogue, Hopkins, Jackson, Kimmel, Kinne, Molsberry, Wade, Whipple, Young of Lee—11.

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

Senator Garst moved that the time of adjournment be extended thirty minutes.

Carried.

Senate file No. 180, a bill for an act making an appropriation for the erection of a monument at the Aspen Grove cemetery, Burlington, Iowa, to perpetuate the memory of John Morgan and providing the method of such erection, with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

The President announced the Senate as in committee of the whole.

The President announced the Senate as in regular session.

Senator Smith of Des Moines moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Jones, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Turner, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Calhoun, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Gale, Hartshorn, Hogue, Jackson, Kimmel, Kinne, Molsberry, Stuckslager, Wade, Whipple, Young of Lee—11.

So the bill having received a constitutional majority was declared to have passed the Senate and its titled agreed to.

Senate file No. 133, a bill for an act to grant and relinquish to the city of Council Bluffs, Iowa, the title of the state of Iowa in and to Big or Spring Lake located in Pottawattamie County, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee, adopted.

Senator Lambert moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Ericson, Gillilland, Harper, Hasselquist Hopkins, Hughes, Jamison, Jones, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Warren, Wilson of Fayette, Wilson of Clinton, Young of Calhoun, Young of Washington—35.

The nays were:

None.

Absent or not voting:

Elerick, Gale, Garst, Hartshorn, Hayward, Hogue, Jackson, Kimmel, Kinne, Molsberry, Turner, Wade, Whipple, Winne, Young of Lee—15.

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

Senator Gillilland moved to indefinitely postpone Senate file No. 14.

Carried.

So the bill was indefinitely postponed.

House file No. 269, a bill for an act to amend section seventeen hundred six (1706) of the supplement to the code relative to the insurance of live stock, was taken up and considered.

The bill was read first and second time.

Senator Courtright moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Ericson, Gillilland, Harper, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Jones, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Calhoun, Young of Washington—38.

The nays were:

None.

Absent or not voting:

Elerick, Gale, Garst, Hartshorn, Hogue, Jackson, Kimmel, Kinne, Molsberry, Wade, Whipple, Young of Lee—12.

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

INTRODUCTION OF BILLS.

By Senator Wilson of Fayette, Senate file No. 244, a bill for an actto legalize acknowledgments of instruments in writing heretofore taken by Notaries Public.

Read first and second time and referred to committee on Judiciary.

By Senator Courtright, Senate file No. 245, a bill for an act to repeal sections 410, 411, 412, 469, of the code, and to enact substitutes therefor, to repeal sections 416, 417, 418, and 419 of the code, all of said sections relating to the board of supervisors, and to repeal all provisions of the code, and all acts and parts of acts of the legislature in conflict with this act.

Read first and second time and referred to special committee on Tenure of Office.

REPORT OF COMMITTEE.

Senator Hayward, 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. 231, a bill for act to repeal section thirteen hundred thirty-nine (1339) of the code, relating to delinquent taxes 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 same be amended as follows:

Strike out the word "same" in line seventeen (17) of section two (2) and insert in lieu thereof the words "net amount collected," and when so amended the bill do pass.

W. C. HAYWARD,
Chairman.

Ordered passed on file.

The Journal of yesterday was taken up, corrected and approved.

Senator Hughes moved that the Senate do now adjourn.

Carried,

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER
DES MOINES, IOWA, Monday, February 26, 1906.

Senate met pursuant to adjournment at 2 o'clock P. M., President Herriott presiding.

Prayer was offered by the Rev. Samuel Conybeare of Audubon, Iowa.

On request of Senator Courtright leave of absence was granted Senator Molsberry for the day.

By unanimous consent Senator Crawford offered the following resolution:

WHEREAS, The painful intelligence has reached this body of the death February 25th, 1906, at his home in Dubuque, Iowa, of Honorable David B. Henderson, a distinguished soldier of the Civil War, a member of Congress from Iowa for twenty years, and Speaker of the House of Representatives in Congress for four years, therefore,

Resolved, That a special committee of three be appointed to prepare and present at an early day, resolutions expressive of the sentiments and feelings of this Senate inspired by this sad and mournful event, and also commemorative of the life and services of the deceased soldier and statesman.

That the members of this Senate individually, and as a body, while fully realizing the futility of all expressions of grief or condolence, hereby convey to the bereaved and stricken family of the lamented dead, in this hour of their great affliction, their heartfelt assurances of the most profound sympathy.

Senator Crawford asked unanimous consent to take up the resolution at this time.

Consent granted.

Senator Crawford moved the adoption of the resolution.

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

HOUSE CONCURRENT RESOLUTION.

Be it Resolved by the House, the Senate concurring, That a committee of seven from the House be appointed by the Speaker of the House and five from the Senate, to be appointed by the President of the Senate, to attend the funeral of the late Hon. D. B. Henderson, ex-Speaker of the House of Representatives at Washington, D. C., and a gallant soldier of the war of the Rebellion. Also to draft suitable resolutions to his memory that same may be spread on the records of this General Assembly and a copy of same forwarded to his family.

C. R. BENEDICT,
Chief Clerk.

PETITIONS AND MEMORIALS.

Senator Turner presented petition of numerous citizens of Taylor county, Iowa, asking the enactment of a law making mutual, non-toll telephone lines and property non-taxable.

Referred to committee on Telegraph and Telephones.

Senator Dunham presented petition of sixty-four residents of Manchester asking the passage of a law prohibiting the playing of base ball on the Sabbath.

Referred to committee on Judiciary.

Senator Harper presented petition of Ottumwa Typographical Union No. 73 protesting against the proposed law prohibiting picketing.

Referred to committee on Labor.

Senator Lyons presented petition of three citizens of Ossian, Iowa, protesting against the passage of the State Primary Election Bill.

Referred to committee on Election.

Senator Bleakly presented petition of sixty members of the Maple Valley Mutual Assurance Association asking the repeal of the law which subjects Mutual Insurance Association to taxation.

Referred to committee on Insurance.

Senator Maytag presented petition of numerous citizens of Jasper County, Iowa, favoring the passage of the Primary law and the measure favoring the Election of United State Senators by a direct vote of the people.

Referred to committee on Elections.

INTRODUCTION OF BILLS.

By Senator Dunham Senate file No. 246, a bill for an act to repeal section twenty two hundred eighty-seven (2287) of the code and chapter seventy-nine (79) of the acts of the Thirtieth General Assembly amending said section and to enact a substitute therefor in regard to the capture and return of patients escaped and the payment of the expenses thereof.

Read first and second time and referred to committee on Judiciary.

By Senator Dunham Senate file No. 247, a bill for an act to provide for the care and removal to their place of legal settlement of non-resident insane and for the payment of the expenses thereof and repealing section twenty-seven hundred twenty-seven-a-28 (2727-a-28) of the supplement to the code and all acts and parts of acts in conflict with this act.

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

By Senator Wilson of Clinton Senate file No 248, a bill for an act to amend the law as it appears in section thirteen hundred four (1304) of the code, relating to exemption of personal property from taxation.

Read first and second time and referred to committee on Judiciary.

By Senator Hughes Senate file No. 249, a bill for an act relating to the rules for admission to the Soldiers' Home.

Read first and second time and referred to committee on Military.

HOUSE MESSAGES CONSIDERED.

Senate concurrent resolution regarding the enactment of pure food law by congress.

Ordered passed on file.

Senate concurrent resolution relative to furnishing certain clerks with copies of the code and the session laws of the Thirtieth and Thirty-first General Assemblies.

Ordered passed on file.

Senate concurrent resolution relative to adjournment from February 28th until March 6th.

Ordered passed on file.

House concurred in Senate amendments to House concurrence resolution requesting the Senators and Representatives in the Congress of the United States from Iowa to do certain things in reference to transportation charges.

Ordered passed on file.

House file No. 258, a bill for an act to legalize the appointment of trustee for Cedar township, Linn county, Iowa, by the auditors of said county for the year nineteen hundred six.

Read first and second time and referred to committee on Judiciary.

THIRD READING OF BILLS.

Senate file No. 138, a bill for an act to amend the law as it appears in section fifteen hundred thirty-three (1533) of the supplement to the code was taken up and considered.

Senator Hasselquist moved that the Senate concur in the following House amendments;

Amend by striking out the word "insert" in the third line of the printed bill and inserting in lieu thereof the words "by inserting," and by striking out the word "insert" in the last line of the first section of the printed bill and inserting in lieu thereof the words "by inserting."

Amend by striking out the words "one or more, not to exceed four superintendents" and inserting in lieu thereof the words "not to exceed four superintendents."

On the question, shall the Senate concur in the House amendments?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Garst, Gillilland, Harper, Hasselquist Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuck-

slager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—42.

The nays were:

None.

Absent or not voting:

Bruce, Ericson, Gale, Hartshorn, Hogue, Kinne, Molsberry, Winne—8.

So the House amendments were concurred in.

The following communication was received from the Governor:

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

It becomes my sad duty to inform you officially of the death of Colonel David B. Henderson, which occurred yesterday afternoon at his home in Dubuque.

In the death of Colonel Henderson, Iowa has lost one of her most distinguished men. In his early years he gave to his country a service which ever since has endeared him to all his countrymen, and which entailed upon him a life of suffering, the intensity of which would have overcome most men, but which with him was an inspiration to a long, noble leadership. In his later years he held firmly and with universal concurrence a place second only to one other in power and influence, and in the discharge of its difficult duties, he not only added to his own fame, but reflected the highest honor upon his state.

His people admired him for the strength of his purpose and the courage of his public utterances; they loved him for his generous heart, his broad sympathies, and his splendid fellowship.

Respectfully,

ALBERT B. CUMMINS,
Governor.

Upon motion of Senator Crawford, the communication was passed on file and ordered printed in the Journal.

Senator Elrick offered the following resolution and moved its adoption:

WHEREAS, The Hon. Daniel P. Stubbs, an honored member of the Senate of the Tenth and Eleventh General Assembly of the State of Iowa, departed this life of recent date.

Resolved, That a committee of three be appointed by the President of the Senate to present resolutions respecting the life, character and services of the deceased.

Adopted.

The President appointed the following committee to present resolutions respecting the life, character and services of Honorable Daniel P. Stubbs, deceased:

Senators Elerick, Harper, Smith of Des Moines,

Senator Crawford offered the following concurrent resolution:

CONCURRENT RESOLUTION.

Resolved by the Senate, the House concurring, That a joint committee consisting of five members of the Senate and seven members of the House, to be appointed by the President of the Senate and Speaker of the House respectively, and of which the Lieutenant Governor shall be chairman, be appointed to attend, as representing this General Assembly, the funeral of the late David B. Henderson, at the city of Dubuque, March 1, 1906.

Senator Crawford asked unanimous consent to take up the resolution at this time.

Consent granted.

Senator Crawford moved the adoption of the concurrent resolution.

Adopted.

Senate file No. 2, a bill for an act providing for the nomination by political parties or organizations of candidates for various offices and the election of delegates to conventions of said political parties or organizations by a primary election and for the holding of conventions by such political parties or organizations with report of committee recommending a substitute and passage was taken up, considered, and the report of the committee adopted.

Senator Crossley moved that the committee substitute be adopted in place of the original bill.

Adopted.

Senator Lyons offered the following amendment and moved its adoption.

Insert the following as section 24:

"If any state, county or district convention assembled under this act shall ascertain upon a canvass of the votes cast at the preceding primary election that the voters of the political party holding such convention had failed to nominate a candidate or candidates for any office or offices to be filled by the voters at the general election in November following, such convention may proceed to the nomination of such candidate or candidates whose nomination shall be certified and the name or names shall be printed

on the ballots for the general election in November, under the proper party heading, the same as if such nominations were made at the primary election."

Renumber sections twenty-four (24), twenty-five (25), twenty-six (26), twenty-seven (27) and twenty-eight (28) as sections twenty-five (25), twenty-six (26), twenty-seven (27), twenty-eight (28) and twenty-nine (29).

President pro tem Smith was called to the chair at 2:50 P. M.

President Herriott resumed the chair at 3 o'clock P. M.

On the question, shall the amendment offered by Senator Lyons be adopted?

A roll call was demanded.

The yeas were:

Bleakly, Bruce, Crossley, Dowell, Eckles, Ericson, Garst, Hayward, Hopkins, Hughes Jackson, Kimmel, Lambert, Lewis, Lyons, Maytag, Smith of Des Moines, Smith of Mitchell, Stirton, Taylor, Turner, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—29.

The nays were:

Brooks, Courtright, Crawford, Dunham, Elerick, Gillilland, Harper, Hartshorn, Hasselquist, Hogue, Jamison, Jones, Spaulding, Stookey, Stuckslager, Whipple—16.

Absent or not voting:

Gale, Kinne, Molsberry, Newberry, Saunders—5.

So the amendment was adopted.

Senator Saunders offered the following amendment and moved its adoption:

I move to amend by striking out all after the enacting clause and inserting the following:

Section 1. That in the nomination of all elective officers where the district is co-extensive with county, and all elective county officers, except justices of the peace and constables, and all elective city officers in the cities having a population of five thousand (5000) or more, all political parties shall comply with the regulations hereinafter provided for a primary election. The provisions of Chapters 3 and 4, Title VI, and Chapter 8, Title XXIV, of the Code, shall apply, so far as applicable, to all such primary elections the same as general elections, except as hereinafter provided. All primary elections, except those for elective city officers, shall be held on the third Tuesday in August preceding the general election.

Section 2. A political party under this act shall be construed to be any political organization maintaining a county district or state organization.

Section 3. The judges and clerks of said primary election shall be selected and appointed in the same manner as for the general election held in November, and their duties and compensations shall be the same, except that only one day's pay shall be allowed such judges and clerks. The messenger transmitting the returns shall receive such compensation as is allowed for like service at the general election. The expense of said primary election shall be paid by the county in which said election is held.

Section 4. The Australian ballot system as now used in this state, except as hereinafter provided, shall be used at said primary election in all precincts. The circle shall be omitted from the ballot, and the voter shall in all cases mark the ballot in the square before the name of each person for whom he desires to vote. In cities where registration is required by law, the polls shall be open from 7:00 a. m. to 6:00 p. m., and in all other precincts from 1:00 p. m. to 8:00 p. m. The elector voting at said primary election shall be allowed to vote for candidates for nomination on the ticket of only one political party, and that shall be the party with which he is registered as affiliated. The initials of a judge of the election and the fac simile of the auditor's signature shall appear upon the ballots as provided by law for the ballots used for the November election. The voter must return the ballot folded to one of the judges of election who shall deposit it in the ballot box.

Section 5. At the primary election to be held on the third Tuesday in August in the year 1906, any person shall be entitled to participate therein who is a qualified elector in such precinct at the time of said primary election and when the voter seeks to pass the guard-rail he shall indicate the party ballot he desires and one of the judges of the primary election board shall give him such primary ballot, (unless challenged, and if so challenged, then only in the event that the challenge is determined in favor of the voter) and such person shall thereupon be allowed to vote. The voter's selection shall constitute his declaration of party affiliation and shall be checked on the voting list used by the clerks of the primary election board and said list shall be returned to the county auditor for preservation. Copies of the names and party entries on such list, together with the changes of party affiliation hereinafter provided, arranged alphabetically by surnames, shall be used at subsequent primaries for determining with what party the voter has been enrolled, and no voter enrolled under the provisions of this act shall be allowed to receive the ballot of any political party except that with which he is enrolled, but he may change his enrollment as elsewhere provided in this act. The county auditor shall prepare for each voting precinct two of the above mentioned lists duly certified by him, which he shall deliver to the succeeding primary election boards in 1908 and biennially thereafter, at least one day prior to the day of the primary election and which lists together with the poll

books of the primary election shall be returned to the said auditor in good condition within twenty-four hours after the primary election to be preserved by him.

The County Auditor shall be authorized to strike from the said lists the names of all persons who have died or permanently removed from the several precincts, and the judges of the primary election are hereby vested with like power as to the lists in the particular precinct where they are acting as judges of the primary.

Section 6. Any person who has declared his party affiliation shall thereafter be listed on the poll books as a member of that political party, and such person while living in the same voting precinct need not declare his party affiliation. Any elector, who, having declared his party affiliation, desires to change the same, may, not less than thirty days prior to the date of any primary election, file a written delaration with the County Auditor ,stating his change of party affiliation;. and the auditor shall enter a record of the same on the poll books in the proper column opposite the voter's name. Any elecor who has for any reason failed to register his party affiliation or has changed his residence to another precinct, or a first voter or citizen of this state casting his first vote in this state shall be entitled to vote at any subsequent primary election in the same manner and upon the same terms as provided in section 6 of this act, and the clerks of the primary election shall record his party affiliation and the County Auditor shall add his name to the alphabetical lists for use in subsequent primary elections, as provided for in section 5 of this act.

Section 7. Each political party shall be entitled to have two party challengers present at each polling place, to be appointed by the respective party committeemen. Any judge or clerk of the primary election or any party challenger or any other voter of the precinct may challenge any voter upon the grounds mentioned in section eleven hundred and fifteen (1115) of the Code, and such challenge shall be determined as there provided. Any elector whose party affiliation has been recorded as provided by this act and who desires to change his party affiliation on the primary election day, shall be subject to challenge. If the person challenged insists that he is entitled to vote the ticket of the political party to which he has transferred his political affiliation and the challenge is not withdrawn, one of the judges shall tender to him the following oath: "You do solemnly swear (or affirm) that you have in good faith changed your party affiliation to the .... party." And if he take such oath he shall thereupon be given a ticket of such political party and the clerks of the primary election shall change his enrollment or party affiliation accordingly.

Section 8. The names of candidates for all offices to be voted for at said election shall be given the County Auditor at least ten days before said primary election day, when such candidates are to be voted for by the electors of the county in which they reside, in which instance said candidate shall file therewith an affidavit stating that he is a resident of the county in which he is and will be a bona gide candidate for nomination for said office as follows:

I, ...being duly sworn say that I reside at ..... street (city or town of .... county, of the state of Iowa, and that political party with which I affiliated in the.....party; and I am a qualified voter therein; that I am a candidate for nomination to the office of ....., to be made at the primary election to be held on ....., and hereby request that my name be printed upon the official primary ballot as provided by law, as a candidate of the ..... party.

(Signed).....

Subscribed and sworn to (or affirmed) before me, ..., by..... on this..... day of ....., 190.....

.....

The name of no candidate shall be printed upon an official ballot used at such primary election unless, at least ten days prior to such primary election, a nomination paper shall have been filed in his behalf in the office of the auditor of the county and which nomination paper shall be signed by at least three (3) per cent. of the voters of the party from which he seeks nomination, as shown by the vote cast by said party at the last general election held in said county, as evidenced by the vote of the candidate at the head of the ticket of said party, said nomination paper shall be substantially in the following form:

"We, the undersigned, qualified electors of ..... county and the state of Iowa and members of the ..... party, hereby nominate .....of..... county and state of Iowa, who has affiliated with and is a member of the .....party as a candidate for the office of..... ....., to be voted for at the primary to be held on the third Tuesday in August, 190....."

All nomination papers shall have substantially the above form written or printed at the top thereof. No signature shall be counted unless they are on sheets having such form written or printed at the top thereof. Each signer of a nomination paper shall sign but one such paper for the same office, and he shall add his residence and date of signing. The affidavit of a qualified elector other than the candidate shall be appended to such nomination paper, or papers, if more than one, for any candidate, stating that he is personally acquainted with all the persons who have signed the same; that he knows them to be electors of that county, and believes them to be affiliated with the party named therein; that their respective residences are truly stated therein, and that each signer signed the same on the date stated opposite his name.

Section 9. The names of the candidates for nomination of each and every political party for the several offices shall be printed on separate and uniform ballots, with the name of the political party printed at the head of said ballots, which ballots shall be prepared by the County Auditor in the same manner as for a general election.

Section 10. All necessary election supplies, including poll books as provided by law, for the general election, shall be furnished for the primary election board for each precinct by the County Auditor, and such poll books shall contain blank spaces for the names of the candidates of the several parties for the different offices to be written in, and blank spaces for entering by the clerks the names of the electors voting at said primary election; and upon the pages provided for entering the names of said voters there shall be ruled spaces for the listing of the names of said voters and for the designation of the party ticket voted by said elector in manner and form as follows:

No.	Name	Republican	Democrat	Prohibitionist	Populist.
1.	James Smith	X			
2.	Tom Jones		X		
3.	Dan Brown			X	
4.	Geo. White				X

It shall be the duty of the clerks of the primary election when entering the name of a voter to place in the poll book a cross thus (X) in the column designating party ticket which was given to said voter upon his application for a ticket.

Section 11. Upon the closing of the polls, the clerks and judges shall immediately open the ballot box at each polling place and proceed to take therefrom the ballots. Said officers shall count the number of ballots cast by each party, at the same time bunching the tickets cast for each party together in separate piles. As soon as the clerks and judges shall have sorted the ballots of each separate party, they shall take the tally sheets provided in the poll books and shall count all the ballots for each party of votes cast for each candidate for each office upon the ticket of each party. After all have been counted and certified to by the clerks and judges, they shall seal the ballots cast by each of the parties in separate envelopes on the outside of which shall be printed or written the names of that party's candidates for the different offices, and opposite each candidate's name shall be placed the number of votes cast for such candidate in said precinct, and then seal these envelopes containing the votes of the various political parties, in one large envelope, on the outside of which, or on a paper attached thereto, shall be printed or written in perpendicular columns the names of the several political parties with the names of the candidates for the different offices under their respective party headings, and oppoisite each candidate's name shall be placed the number of votes cast for such candidates in said precinct, and at the bottom the total vote cast by each political party in said precinct, and such envelopes shall be returned to the County Auditor.

Section 12. Returns of the vote cast at said primary election shall be made to the County Auditor forthwith, and within twenty-four hours; a certification of the result of said vote on candidates for the

various offices shall be made by the County Auditor through the chairman or other officer of the County Central Committee of the several political parties participating in said primary election by 1:30 p. m. of the Friday following the third Tuesday in August, and these returns shall be reviewed as to the result of the vote on their own party candidates by the County Central Committee in open convention hereafter provided for; and these candidates receiving a majority of all the votes cast by such political party at said primary election shall be declared the nominees of that party and in case no candidate receives a majority of all the votes cast by such political party for any particular office as aforesaid the delegates to said county convention hereinafter provided for shall select the candidate for such office by a majority vote of said delegates. Said convention shall by its chairman and Secretary certify to the County Auditor of the county wherein the same is held the nominees of the party for the various offices and shall certify to the Secretary of State nominees of the party for district offices, as required by section eleven hundred four (1104) of the Code . There shall be conventions of delegates of the different political parties held on or before the first Saturday in September following the primary election at an hour and place designated by the county central committees of the respective parties. The chairman and secretary of each central committee shall cause to be published in a newspaper in the county for at least ten days preceding the primary election the date of the convention and shall also designate the number of delegates apportioned to each precinct and which it is entitled to have in said convention. Where counties are divided into supervisor districts, the voters in each district shall vote at the primary election in the same manner as that provided for the nomination of other county officers, but only the voters residing in a supervisor district shall be entitled to vote upon the nomination of a supervisor for such district. In the event that no candidate of any party shall secure a majority of all the votes of his party cast in such supervisor district for nomination as supervisor, the delegates from such supervisor district elected to the county convention shall immediately after the adjournment of said county convention assemble in convention and nominate a candidate for supervisor in such district, and the chairman and secretary of such supervisor district convention shall certify and file with the County Auditor the nomination of such supervisor in the same manner as is required for the certification of county nominees.

Before the call for a county convention is issued, it shall be the duty of the chairman and secretary of the several political parties to make an apportionment of delegates of the several political parties to the county, which shall be in proportion to the number of votes registered by each of said parties in the several precints, as shown by the vote of such party at the last preceding general election.

Section 13. Delegates to the county convention and members of the county central committee of the various political parties shall be voted for in each voting precinct at the same time and place the primary elec-

tion for the selection of party nominees is held; the delegates elected shall attend the county convention of the party for which they are chosen where they shall select delegates for the district and state conventions of their party, make nominations when no candidate for any particular office has received a majority of all the votes cast by such political party for said office, and transact such other business as may come before them.

Section 14. The selection of the delegates to the county convention shall be made in the following manner: The requisite number of delegates to which each precinct is entitled shall be determined by the County Auditor from the written reports of the chairmen of the respective county central committees, said reports to be filed with the County Auditor on or before August first preceding the primary election setting forth the number of delegates to which each precinct is entitled in the county convention of their party. The County Auditor shall have a sufficient number of blanks placed on each ballot to name the delegates from each precinct. In case a chairman fails to file a report for his party, the auditor shall determine the requisite number of delegates to which such party is entitled, as he may deem just and proportionate. The voter while in the booth shall write or paste on the blank lines provided on the ballot the requisite number of names of his choice to act as delegates for his party; and the requisite number of persons for delegates receiving the highest number of votes cast by their party shall constitute the delegates from such precinct to the county convention. In case of a tie vote on any delegate or delegates, the matter shall be decided by lot to be cast then and there as the primary election board may determine. In case of vacancy on said delegation, the remaining delegates selected shall have full power to vote and act for the entire delegation, but no proxies shall be allowed. One member of the county central committee for each political party from each precinct shall be elected in the same manner in which delegates are selected. His term of office shall begin on the day of the county convention immediately following the adjournment thereof and shall continue for two years and until his successor is elected. Vacancies occurring in the county central committee may be filled by said committee.

Section 15. The delegates to the county convention when assembled shall have announced to them in open convention by some person designated by the county central committee the nominations made at the primary as determined by a count of the votes cast, and in cases where no candidate has received a majority of all the votes cast by his party, they shall make nominations as provided in section 12 of this act, and they shall select delegates to the various district and state conventions in such manner as said county convention may determine. The chairman of the respective district and state central committees of the several political parties participating in a primary election shall file with the chairman of the county committees a report, showing the number of delegates each county is entitled to at their respective district or state conventions.

Section 16. There shall not be placed upon any official ballot to be voted at any general election the name of any candidate of a political party which cast ten per cent or more of the total vote cast at the preceding general election unless nominated in the manner hereinbefore provided, except to fill a vacancy; but nominations other than those above stated may be made by petition, as provided in section eleven hundred (1100) of the Code.

Section 17. The names of candidates for each office on all primary election ballots shall be arranged alphabetically according to surnames.

Section 18. The provisions of section two thousand four hundred forty-eight (2448) of the Code relative to the closing of saloons on election days shall apply in like manner to primary election days under this act.

Section 19. In all cities having a population of five thousand (5000) or more, as determined by the last preceding state or federal census, the nominations of all candidates for elective offices by political parties shall be made by a primary election, and all the provisions of this act shall apply to the nomination of candidates for elective offices by political parties for municipal elections in such cities so far as applicable and said municipality shall pay the expenses of the same, all bills to be audited and passed upon by the city council. The primary election in such cities for the nomination of candidates for municipal offices shall be held on the fourth Tuesday preceding the day of the general municipal election. The city clerk shall receive the nomination papers and shall arrange, publish(have printed and furnish to the precinct election officers the party tickets and necessary election supplies; and to him shall be made the returns by the primary election board, and he shall make certified copies of the said returns and deliver the same to the chairman of the city committees of the several political parties participating in said prmary electon, by one thirty (1:30) o'clock p. m., of the Friday following the said primary election, and shall perform such other duties relative to the city primary election as are provided for the county auditor, and which can be made applicable to a city. A city convention of the various political parties participating in a primary electon shall be held on the Saturday next following the day of holding the primary election, and the canvass shall be there made and the result declared as provided for a county convention by this act. The city committees of the various political parties recognized by this act shall consist of one elector, a member of that particular party from each voting precinct of the city who shall be a legal voter in the precinct he is elected to represent. He shall be known as "precinct committee-man" and shall be elected at the city primary election in the same manner in which candidates and delegates are selected, and shall serve until the next city election, or until his successor is elected.

Section 20. Ward alderman shall be nominated in the same manner as heretofore provided for the nomination of supervisors in supervisors districts.

Section 21. Any party committee-man or any primary election or other public officer, upon whom the duty is imposed by this act or by acts herein made applicable to primary elections, who shall willfully neglect any such duty or who shall willfully perform it in such a way as to hinder the objects thereof or shall disclose to anyone, except as may be ordered by any court of justice, the contents of any ballot or any part thereof, as to the manner in which the same may have been voted, shall be punished by a fine of not less than one hundred ($100) dollars nor more than one thousand ($1000.00) dollars, or by imprisonment in the penitentiary not less than one nor more than five years, or by both such fine and imprisonment.

Section 22. Any person who shall agree to perform any services in the interest of any candidate in consideration of any money or other valuable thing or who shall accept any money or other valuable thing for such services performed in the interest of any candidate or any person paying or offering to give money or other valuable thing for such services performed in the interest of any candidate or any person paying or offering to give money or other valuable thing for such services, shall be published by a fine of not more than three hundred ($300.00) dollars or be imprisoned in the county jail not exceeding thirty days. But nothing herein shall be construed to include persons making contracts in good faith for the announcement of their candidacy in the newspapers and for the conveyance of voter to and from polling places on the day of the primary election and the payment of any reasonable compensation for such services;

And provided further that candidates shall be permitted to hire any person at the sum of not to exceed two ($2.00) dollars per day for circulating a nomination petition. This act shall not be construed as to preclude the hiring of livery to be used by a candidate in conducting his campaign.

Section 23. Proxies shall not be lawful or permitted in any county, district or state political convention, and the delegates to such convention from any precinct or county shall be permitted to cast the full vote of the delegation or to fill the same.

Section 24. Any vacancy upon a ticket created or caused by the death, resignation or disability of a nominee may be filled by the central committee of the party of which said nominees was a candidate by delegate conventon or otherwise, as said committee may determine.

Section 25. This act shall not apply to the nomination of candidates for elective city offices to be filled in the years 1906, nor shall it apply to nomination of candidates for county or district offices or choice of delegates made prior to April 15, 1906.

Senator Saunders moved that the amendment offered by him be printed as a bill in addition to being printed in the Journal.

Carried.

Senator Dunham addressed the Senate as follows:

MR. PRESIDENT—One whom this State has delighted to honor; one who, in the faithful discharge of his duties and the graceful carriage of the honors and responsibilities in high positions placed upon him, has added greatly to the luster of the State's name, has been called to his reward.

Honorable David B. Henderson, of Iowa, has passed the mystic river, and the State mourns the loss of a brilliant son and wise statesman, the people mourn the loss of a true and generous-hearted friend of humanity.

It is fitting and proper that this body, in recognition of the services of David B. Henderson, and in respect to his memory, should put aside the work of the hour, and that we may so express our recognition and respect, I do move that the Senate do adjourn.

Carried unanimously by a rising vote.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, February, 27, 1906.

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. Mott Mitchell, of Coin, Iowa.

PETITIONS AND MEMORIALS.

Senator Hasselquist presented petition of one hundred forty voters of Humeston, Wayne county, Iowa, in favor of the Primary Election bill.

Referred to committee on Elections.

Senator Hasselquist presented petition of ninety-seven voters of Corydon, Wayne county, Iowa, in favor of the Primary Election bill.

Referred to committee on Elections.

Senator Jackson presented petition of three thousand eight hundred fifty-nine citizens of Woodbury county, Iowa, in favor of the Primary Election bill, the Anti-pass bill and the resolution calling upon Congress to enact railroad rate legislation favored by President Roosevelt.

Referred to committee on Elections.

Senator Bleakly presented petition of four thousand and eight voters of Cherokee, Ida and Plymouth counties in favor of the Primary Election bill, the Anti-pass bill, and the resolution calling upon Congress to enact railroad rate legislation favored by President Roosevelt.

Referred to committee on Elections.

Senator Spaulding presented petition of one hundred citizens of Charles City, Iowa, favoring the passage of the Primary bill.

Referred to committee on Elections.

Senator Wilson of Clinton presented petition of citizens of Delmar protesting against the State Primary Election bill.

Referred to committee on Elections.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and concurred in the following concurrent resolution in which the concurrence of the House was asked:

Concurrent resolution relative to a joint committee to attend the funeral of the late David B. Henderson and to draft suitable resolutions to his memory.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 6, a bill for an act to encourage the use of wagons with wide tires on public highways and providing for a rebate of a portion of their road tax to persons using wagons with tires not less than three inches in width when hauling heavy loads on the public highways of this state.

C. R. BENEDICT,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Dowell, Senate file No. 250, a bill for an act to legalize the making of certain plats made by the county auditors of Iowa and the recording of the same by the county recorders of Iowa and to legalize the description of land in all instruments, conveyances and incumbrances referring thereto.

Read first and second time and referred to committee on Judiciary.

By Senator Ericson, Senate file No. 251, a bill for an act authorizing the Executive Council of the State to grant the right of way to the Ft. Dodge, Des Moines and Southern Railway Company over and across section thirty-three (33), township eighty-four (84), range twenty-four (24), and sections twenty-five (25), four (4), nine (9), ten (10), fourteen (14), townships eighty-three (83), twenty-four (24), west of the fifth principal meridian.

Read first and second time and referred to committee on Agriculture.

HOUSE MESSAGES CONSIDERED.

Concurrent resolution relative to appointing a joint committee to attend the funeral of the late David B. Henderson and to draft resolutions of respect to his memory.

Ordered passed on file.

Senate file No. 6, a bill for an act to encourage the use of wagons with wide tires on public highways and porviding for a rebate of a portion of their road tax to persons using wagons with tires not less than three inches in width when hauling heavy loads on the public highways of this state.

Ordered passed on file.

Senate concurrent resolution relative to a joint committee to attend the funeral of the late David B. Henderson and to draft suitable resolutions to his memory.

Ordered passed on file.

Senator Harper asked unanimous consent to take up the concurrent resolution at this time.

Granted.

Senator Harper moved that the Senate concur in the following House amendments:

Amend the concurrent resolution so it shall read as follows:

Be it Resolved by the Senate, the House Concurring, That a joint committee, consisting of the President and five members of the Senate and the Speaker and seven members of the House, be appointed to attend as representing the Thirty-first General Assembly, the funeral of the late David B. Henderson at the city of Dubuque, Iowa, March 1, 1906, and to draft suitable resolutions to his memory to be reported to the Senate and House for consideration.

Adopted.

So the House amendment was concurred in.

REPORT OF COMMITTEE.

Senator Whipple, from the committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance to whom was referred Senate file No. 42, being a bill for an act to amend the law as it appears in section seventeen hundred-nine (1709) of the supplement to the code relating to insurance on live stock, including amendments made by the Senate thereto, beg leave to report that they have had said bill and the amendments

thereto under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 42.

A BILL for an act to amend the law as it appears in section seventeen hundred nine (1709) of the supplement to the code relative to insurance of live stock.

Be it Enacted by the General Assembly of the State of Iowa.

Section 1. The law as it appears in section one thousand seven hundred nine (1709) of the code is hereby amended by adding after the last word in sub-division four (4) of said section the following: "and stock companies may insure horses and registered cattle against loss by death from disease or accident."

Sec. 2. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily News, newspapers published in the city of Des Moines, Iowa.

And when so amended the bill do pass.

W. P. WHIPPLE,
Chairman.

Substitute read first and second time and passed on file.

Senator Courtright asked unamimous consent to take up Senate file No. 42 at this time.

Granted.

Senator Courtright moved that Senate file No. 42 be indefinitely postponed.

Carried.

So the bill was indefinitely postponed.

Senator Whipple, from the committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance to whom was referred Senate file No. 199, a bill for an act to amend the law as it appears in section seventeen hundred nine (1709) of the code and of the supplement of the code 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 be amended by the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 199.

A BILL for an act to amend the law as it appears in section seventeen hundred nine (1709) of the supplement to the code relating to insurance.

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

Section 1. The law as it appears in section seventeen hundred nine (1709) of the supplement to the code is hereby amended by striking out of subdivision seven (7) after the word "thereat" in the third line thereof the comma and words, "and against the loss of moneys and securities in the course of transportation."

Sec. 2. The law as it appears in section seventeen hundred nine (1709) of the supplement to the code is hereby amended by striking out sub-division one of said section and inserting in lieu thereof "1. Insure houses, buildings and all other kinds of property against loss or damage by fire or other casualty and make all kinds of insurance on goods, merchandise, moneys and securities or other property in the course of transportation, whether on land or water, or any vessel or boat where ever the same may be."

Sec. 3. This act, being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily News, newspapers published at the city of Des Moines, Iowa.

And when so amended that same do pass.

W. P. WHIPPLE,
Chairman.

The substitute was read first and second times and passed on file.

Senator Smith of Mitchell, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads to whom was referred Senate file No. 118, a bill for an act to regulate the issuance, acceptance and use of free transportation, or transportation at less rates than are open to the general public, by railway, street railway, and interurban railway companies, and to provide penalties for the violation thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JAS. A. SMITH
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Railroads to whom was referred substitute for House file No. 26, a bill for an act to repeal chapter seventy-four (74) of the laws of the Thirtieth General Assembly relating to common carriers and additional to section two thousand seventy-four (2074) of the code and to provide a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Railroads to whom was referred Senate file No. 241, a bill for an act to amend section seven hundred sixty-eight (768) of the code relating to the enclosing of street car vestibules, beg leave to report that 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.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

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 bill in which the concurrence of the Senate is asked:

House file No. 227, a bill for an act to amend chapter sixty-eight (68) of the laws of the Thirtieth General Assembly relative to the establishment of levees, ditches, drains and water courses.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 285, a bill for an act to legalize the special election held in Armstrong, Monday, May 18, A. D. 1903, granting a franchise to the Armstrong Light and Heating Company and all the ordinances, resolutions and acts of said council with reference thereto recited in this act.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 39, a bill for an act to amend section fifteen hundred thirty (1530) of the supplement to the code, giving boards of supervisors power to levy additional mill.

C. R. BENEDICT,
Chief Clerk.

REPORT OF COMMITTEE.

Senator Smith of Mitchell, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads to whom was referred Senate file No. 12 a bill for an act prohibiting public officers, political committees or delegates to political conventions from asking, accepting or using a free pass, frank or privilege withheld from any other person for the traveling accommodation or transportation of any person or property, or the transmission of any message or communication, and prohibiting any person, association, corporation or co-partnership from giving or offering to give the same to any public officer, political committee or delegates to political conventions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Strike out all after the enacting clause, and insert as follows:

Section 1, It shall be unlawful for any steam railway or interurban railway company doing business within the state, or any officer, agent or representative thereof, to issue, give or offer to any city, county, district or state officer, including judges and members of the general assembly, or to any delegate to a political convention to use in attending such convention or return therefrom, or to any member of any political committee or employee thereof or to any candidate for a city, county, district or state office, or to jurors in state or federal courts, any free pass, ticket or other privilege at rates less than charged the public.

Sec. 2. No city, county, district or state officer, and no delegate to a county, district, or state political convention, and no candidate for a county, district or state office, and no member of any political committee or any employee thereof, and no juror in state or federal courts, shall request or use any such free pass, ticket or privilege, sold or conferred at a less rate than the rate charged the public, over any steam railroad or interurban railroad.

Sec. 3. The holding of a notarial commission or a public office that pays no fees, or salary, or a position as a member of the faculty or an officer of a state educational institution, or acting as an officer or director of the Iowa State Board of Agriculture, or a membership in the National Guard, or a membership in the fire department of any city, or the use of transportation in accompanying live stock or perishable freight or the use of the return privilege, or riding or accepting transportation upon a special train, run for the public safety, health or welfare, shall not operate to place any person within the inhibitions of this act.

Sec. 4. This act shall not apply to bona fide employees of steam railway, or interurban railway companies, when traveling upon the lines of the railways with which they are employed, or from using what is commonly known as "exchange transportation", nor shall it apply to the members of the railway commission, or its secretary when traveling upon official duties Nor shall this act prohibit any owner or employee of a newspaper from using transportation issued in payment for advertising published in such newspapers.

Sec. 5. Nothing in this act contained shall be construed to prohibit the granting of excursion or party rates by any steam railroad or interurban railroad company to any class of persons whomsoever.

Sec. 6. Any person convicted of a violation of any of the provisions of this act shall be punished by imprisonment in the county jail not exceeding six months, or by a fine not exceeding five hundred dollars ($500.00).

And when so amended the bill do pass.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

The Senate resumed consideration of Senate file No. 2, which was under consideration at adjournment yesterday.

President pro tem Smith was called to the chair at 11 o'clock A. M.

President Herriott resumed the chair at 11:10 o'clock A. M.

Senator Bleakly moved that when the Senate adjourn, it be until 2 o'clock P. M.

Carried.

The President, on behalf of the Senate, announced the following committee as members of the joint committee to attend the funeral of the late Hon. David B. Henderson at the city of Dubuque, March 1, 1906: Senators Crawford, Dunham, Courtright, Hartshorn, Wade.

Senator Bruce filed the following motion to reconsider.

SENATE CHAMBER, February 27, 1906.

MR. PRESIDENT—I move to reconsider the vote by which the amendment of Senator Lyons (inserting section twenty-four to substitute for Senate file No. 2) was adopted by the Senate on February 26, 1906, as shown on pages 561 and 562 of Senate Journal.

JAS. E. BRUCE.

Senator Young of Calhoun moved that when the Senate adjourn this afternoon, it be at 4 o'clock.

The motion was lost.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the Speaker, in accordance with concurrent resolution relative to a joint committee to attend the funeral of the late David B. Henderson and to draft suitable resolutions to his memory, appoints as committee on part of House Frudden of Dubuque, Greeley of Story, Kendall of Monroe, Wise of Black Hawk, Epperson of Wapello, Freeman of Pottawattamie, Springer of Buchanan.

C. R. BENEDICT,
Chief Clerk.

The Journal of February 24th was taken up, corrected and approved.

The Journal of yesterday was taken up, corrected and approved.

The hour having arrived, the Senate stood adjourned.

AFTERNOON SESSION.

Senate met at 2 o'clock P. M. pursuant to adjournment, President Herriott presiding.

PETITIONS AND MEMORIALS.

Senator Hogue presented petition of seven hundred forty-five (745) citizens of Monona and Crawford counties, Iowa, favoring the passage of the primary bill, the anti-pass law and railroad rate regulation by Congress.

Referred to committee on Elections.

Senator Young of Calhoun presented petition of four hundred (400) of Calhoun and Webster counties favoring the passage of the primary bill, the anti-pass bill and railroad rate regulation.

Referred to committee on Elections.

Senator Kinne presented petition of seven hundred ninety-three (793) citizens of Clay and Dickinson counties favoring the passage of the primary bill, the anti-pass bill and railroad rate regulation by Congress.

Referred to committee on Elections.

Senator Kimmel presented petition of 3422 citizens of Sioux, Osceola, Lyon and O'Brien counties, favoring the primary bill, the anti-pass law and railroad rate regulation by Congress.

Referred to committee on Elections.

Senator Taylor presented petition of twenty-eight (28) citizens of Brazil, Iowa, protesting against the passage of the primary bill.

Referred to committee on Elections.

Senate resumed consideration of Senate File No. 2, which was under consideration at adjournment this morning.

Senator Jamison moved the previous question on the amendment offered by Senator Saunders.

Carried.

On the question, Shall the amendments offered by Senator Saunders be adopted.
A roll call was demanded.

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Dunham, Elerick, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hogue, Jackson, Jamison, Jones, Saunders, Spaulding, Stookey, Stuckslager, Whipple—20.

The nays were:

Crossley, Dowell, Eckles, Ericson, Garst, Hayward, Hopkins, Hughes, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Newberry, Smith of Des Moines, Smith of Mitchell, Stirton, Taylor, Turner, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—28.

Absent or not voting:

Bruce, Molsberry—2.

So the amendment was lost.

MR. PRESIDENT—I desire to state that when the substitute for the Crossley bill was under consideration, I was unavoidably detained from the Senate Chamber.

Had I been here, I wish to say, that I should have voted for the substitute offered by the Senator from Pottawattamie.

F. M. MOLSBERRY.

By unamimous consent Senator Crawford offered the following concurrent resolution and moved its adoption.

CONCURRENT RESOLUTION:

Resolved by the Senate, the House concurring that the joint committee appointed to attend, as representing the General Assembly, the funeral of the late David B. Henderson, be instructed to procure and present on that mournful occasion, in behalf of this General Assembly, and the whole people of Iowa, to the widow and family of the deceased Soldier and Statesman an appropriate floral offering as a loving testimonial and tribute to his memory, and a feeble but affectionate expression of our gratitude and high appreciation of his distinguished services to the State and Nation.

Adopted.

The president announced that he had signed in the presence of the Senate, Senate files No. 103 and 201.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Turner from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled Senate file No. 103, a bill for an act making an appropriation of the sum of $4,978.27 to Albert B. Cummins, W. B. Martin, B. F. Carroll and G. S. Gilbertson to reimburse them for funds advanced for the purpose of completing the tabulation of the State census of 1905.

Also:

Senate file No. 201, a bill an act to legalize the ordinances, acts, proceedings, resolutions and amendments to the ordinances passed by the city council of Winterset, Iowa, and to legalize all the acts and elections of the incorporated city of Winterset, in the county of Madison, State of Iowa, and to legalize all the official acts of the city officials of Winterset, Iowa, acting as such officials.

D. W. TURNER,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turner from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 103, a bill for an act making an appropriation of the sum of $4,978.27 to Albert B. Cummins, W. B. Martin, B. F. Carroll, and G. S. Gilbertson to reimburse them for funds advanced for the purpose of completing the tabulation of the State census of 1905.

Also:

Senate file No. 201, a bill for an act to legalize the ordinances, acts, proceedings, resolutions and amendments to the ordinances passed by the city council of Winterset, Iowa, and to legalize all the acts and elections of the incorporated city of Winterset, in the county of Madison, State of Iowa, and to legalize all the official acts of the city officials of Winterset, Iowa, acting as such officials.

D. W. TURNER,
Chairman Senate Committee.
H. L. SPAULDING,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate file No. 103. a bill for an act making an appropriation of the sum of $4,978,27 to

Albert B. Cummins, W. B. Martin, B. F. Carroll and G. S. Gilbertson to reimburse them for funds advanced for the purpose of completing the tabulation of the State census, 1905.

Also:

Senate file No. 201, a bill for an act to legalize the ordinances, acts, proceedings, resolutions and amendments to the ordinances passed by the city council of Winterset, Iowa, and to legalize all the acts and elections of the incorporated city of Winterset, in the county of Madison, State of Iowa, and to legalize all the official acts of the city officials of Winterset, Iowa, acting as such officials.

Senator Elerick moved the previous question on the bill.

Carried.

Senator Crossley moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bruce, Crossley, Dowell, Eckles, Ericson, Garst, Hopkins, Hughes, Kimmel, Kinne, Lewis, Lyons, Maytag, Smith of Mitchell, Stirton, Turner, Warren, Wilson of Fayette, Winne, Young of Calhoun, Young of Washington—21.

The nays were:

Bleakly, Brooks, Courtright, Crawford, Dunham, Elerick, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Jackson, Jamison, Jones, Lambert, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stookey, Stuckslager, Taylor, Wade, Whipple, Wilson of Clinton, Young of Lee—29

Absent or not voting:

None.

So the bill having failed to receive a constitutional majority was declared lost.

Senator Hayward filed the following explanation of his vote:

MR. PRESIDENT—I desire to explain my vote as follows: I am in sympathy with the spirit and purpose of this bill. I heartily endorse the idea of permitting all voters to express their choice in the selection of candidates for public position. In so far as this bill will effect such purpose, if it shall become a law, it has my approval. In some respects I deem it seriously defective. I do not endorse its plan of plurality nominations.

However, whether I endorse this bill or not is of less importance than whether I fairly, honestly, fearlessly and to the best of my ability represent

in this body the people of the Twenty-first Senatorial district. I recognize fully my obligation to the State at large, but I deem it the duty of every member of this General Assembly, and therefore my duty, to give first consideration to the sentiment and wishes of those whom he most directly represents.

In regard to this bill, a considerable number of the people of my county, regardless of party, have expressed their views to me on this subject and a very large majority of them have declared themselves opposed to its provisions.

Therefore, regarding it my duty to represent the majority sentiment of my county, as I understand it, I vote "No!"

W. C. HAYWARD.

Senator Turner moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, February 28th, 1906,

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. Mott Mitchell of Coin, Iowa.

On request of Senator Newberry leave of absence was granted Senator Hopkins for the day.

On request of Senator Smith of Des Moines, leave of absence was granted Senator Stirton for the day.

On request of President Herriott leave of absence was granted Senator Stuckslager for the day.

On request of Senator Courtright leave of absence was granted Senator Elerick for the day.

INTRODUCTION OF BILLS.

By Senator Hartshorn, Senate file No. 252, a bill for an act amendatory of the law as it appears in chapter sixty-eight (68) acts of the Thirtieth (30th) General Assembly of Iowa, relating to levees, ditches, drains and water courses repealing section eighteen (18) nineteen (19) and forty four (44) of said chapter and enacting substitute therefor and amending other sections of said chapter.

Read first and second time and referred to committee on Agriculture.

By Senator Kinne, by request, Senate file No. 253, a bill for an act to amend section four hundred sixty-nine (469) of the code, relative to the compensation of members of the board of supervisors.

Read first and second time and referred to committee on Judiciary.

By Senator Hartshorn, Senate file No. 254, a bill for an act to amend chapter one of the Twenty-seventh General Assembly relating to the publication of the laws of the state of Iowa.

Read first and second time and referred to committee on Printing.

By Senator Young of Lee, Senate file No. 255, a bill for an act to legalize certain instruments in writing which were defectively acknowledged.

Read first and second time and referred to committee on Judiciary.

By Senator Taylor, Senate file No. 256, a bill for an act to amend section fifty-five hundred eighty-five (5585) of the code providing for giving the state a change of venue in criminal cases after the defendant has taken a change.

Read first and second time and referred to committee on Judiciary.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House file No. 129, a bill for an act providing for the care and permanent preservation of Public Archives, and making an appropriation therefor.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 126, a bill for an act to amend chapter 101, laws of the Thirtieth General Assembly relating to establishing and maintaining a state board of health laboratory at Iowa City.

C. R. BENEDICT,
Chief Clerk.

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.

House file No. 101, a bill for an act making an appropriation for the Benedict Home at Des Moines, Iowa.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 119, a bill for an act to repeal section thirteen hundred and six-b (1306-b) of the supplement to the code, and chapter forty-three (43) of the acts of the Thirtieth General Assembly and to enact a substitute therefor relating to the limit of indebtedness.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 64; a bill for an act making an appropriation for the Florence Crittenden Home at Sioux City, Iowa.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following Concurrent Resolution in which the concurrence of the House was asked: Senate Concurrent Resolution relative to the purchase of a floral offering for the funeral of Hon. David B. Henderson.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

The Speaker, in accordance with concurrent resolution relative to a joint committee to attend the funeral of the late David B. Henderson, and to draft suitable resolutions to his memory, appoints as committee on part of House, Frudden of Dubuque, Greeley of Story, Kendall of Monroe, Wise of Black Hawk, Epperson of Wapello, Freeman of Pottawattamie, Springer of Buchanan.

Ordered passed on file.

House file No. 227, a bill for an act to amend chapter sixty-eight (68) of the laws of the Thirtieth General Assembly relative to the establishment of levees, ditches, drains and water courses.

Read first and second time and referred to committee on Judiciary.

House file No. 39, a bil for an act to amend section fifteen hundred thirty of the supplement to the code, giving boards of supervisors power to levy an additional mill.

Read first and second time and referred to committee on Highways.

House file No. 285, a bill for an act to legalize the election held in Armstrong, Monday, May 18, A. D. 1903, granting a franchise to the Armstrong Light and Heating Company and all the ordinances, resolutions and acts of said council with reference thereto recited in this act.

Read first and second time and referred to committee on Judiciary.

House file No. 129, a bill for an act providing for the care and permanent preservation of Public Archives, and making an appropriation therefor.

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

House file No. 126, a bill for an act to amend chapter one hundred one (101), laws of the Thirtieth General Assembly relating to establishing and maintaining a state board of health laboratory at Iowa City.

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

House file No. 101, a bill for an act making an appropriation for the Benedict Home at Des Moines, Iowa.

Read first and second time and referred o committee on Appropriations.

House file No. 119, a bill for an act to repeal section thirteen hundred six-b (1306-b) of the supplement to the code, and chapter forty-three (43) of the acts of the Thirtieth General Assembly and to enact a substitute therefor, relating to limit of indebtedness of municipal coporations.

Read first and second time and referred to committee on Judiciary.

House file No. 64, a bill for an act making an appropriation for the Florence Crittenden Home at Sioux City, Iowa.

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

Senate concurrent resolution, relative to the purchase of a floral offering for the funeral of Hon. David B. Henderson.

Ordered passed on file.

REPORT OF COMMITTEE.

Senator Eckles, from the committee on Claims, submitted the following report:

MR. PRESIDENT—Your committee on Claims to whom was referred Senate file No. 139, a bill for an act appropriating the sum of two thousand five hundred dollars ($2,500) to pay M. H. Byers for his services in prosecuting and collecting the claim of the State of Iowa against the United States Government for money expended by the State in aiding the Government to equip and place in the field its soldiers for the Spanish war, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass, and that the same be referred to the committee on Appropriations.

CHAS. ECKLES,
Chairman.

Adopted and referred to the committee on Appropriations.

THIRD READING OF BILLS.

Senate file No. 222, a bill for an act to amend section five thousand forty (5040) of the code relative to breech of the Sabbath with report of committee recommending passage was taken up, considered, and the committee adopted.

The bill was read for information.

Senator Lewis moved the adoption of the following amendment:

Amend line nine (9) section one (1) by inserting after the word "fine" the words "not less than five dollars ($5) and."

Adopted.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Ericson, Garst, Harper, Hartshorn, Hasselquist,

Hughes, Kimmel, Kinne, Lewis, Lyons, Molsberry, Saunders, Smith of Mitchell, Spaulding, Stookey, Taylor, Turner, Wade, Warren, Whipple, Young of Calhoun, Young of Washington—30.

The nays were:

Crawford, Gale, Wilson of Clinton—3.

Absent or not voting:

Elerick, Gillilland, Hayward, Hogue, Hopkins, Jackson, Jamison, Jones, Lambert, Maytag, Newberry, Smith of Des Moines, Stirton, Stuckslager, Wilson of Fayette, Winne, Young of Lee—17.

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

On request of Senator Eckles leave of absence was granted Senator Kimmel for the rest of the day.

Miss Lucy G. Corberry, clerk for the committee on Federal Relations, having resigned, Miss Annette L. Hessel, was appointed to fill the vacancy.

Senate file No. 216, a bill for an act to amend chapter eighty (80) of the acts of the Thirtieth General Assembly in regard to the admission of patients in hospitals for inebriates, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Turner offered the following amendment and moved its adoption.

Amend by striking all of section two (2) from said bill.

A roll call was demanded, on the question shall the amendment be adopted.

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dunham, Eckles, Hartshorn, Hasselquist, Hogue, Jamison, Jones, Kinne, Lewis, Molsberry, Taylor, Turner, Warren—18.

The nays were:

Dowell, Ericson, Garst, Harper, Hayward, Hughes, Jackson, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stookey, Wade, Whipple, Wilson of Fayette Young of Lee, Young of Calhoun, Young of Washington—20.

Absent or not voting:

Crawford, Elerick, Gale, Gillilland, Hopkins, Kimmel, Lambert, Lyons, Stirton, Stuckslager, Wilson of Clinton, Winne—12.

So the amendment was lost.

Senator Smith of Mitchell moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Dowell, Garst, Hayward, Hughes, Jackson, Lambert, Maytag, Newberry, Saunders, Smith of Des Moines, Spaulding, Stookey, Taylor, Wade, Whipple, Wilson of Fayette, Young of Lee, Young of Calhoun, Young of Washington.—21

The nays were:

Brooks, Bruce, Courtright, Crossley, Dunham, Eckles, Gillilland, Harper, Hartshorn, Hasselquist, Hogue, Jamison, Jones, Kinne, Lewis, Smith of Mitchell, Turner—17.

Absent or not voting:

Crawford, Elerick, Gale, Hopkins, Kimmel, Lyons, Molsberry, Stirton, Stuckslager, Warren, Wilson of Clinton, Winne—12.

So the bill having failed to receive a constitutional majority was declared lost.

On request of Senator Hasselquist, leave of absence was granted him for the rest of the day.

President pro tem Smith was called to the chair at 10:55 A. M.

Senate file No. 141, a bill for an act to regulate the sale of gas oline and providing penalty for violation thereof, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

The President resumed the chair at 11 o'clock A. M.

The President announced that he had signed in the presence of the Senate, House file No. 269.

President pro tem Smith was called to the chair at 11:05 o'clock A. M.

Senator Harper moved that the rule be suspended and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Ericson, Garst, Gillilland, Harper, Hartshorn, Hayward, Hogue, Hughes, Jackson, Jamison, Jones, Kinne, Lambert, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun, Young of Washington—41.

The nays were:

None.

Absent or not voting:

Elerick, Gale, Hasselquist, Hopkins, Kimmel, Lyons, Stirton Stuckslager, Wilson of Clinton—9.

So the bill having recevied a constitutional majority was declared to have passed the Senate and its title agreed to.

House file No. 178, a bill for an act making an appropriation to defray the mileage and expenses of the members of the various committees sent by the Thirty-first General Assembly to visit the several state institutions, with report of committee recommending passage was taken up considered, and the report of the committee adopted.

The Chair announced the Senate as in committee of the whole.

The Chair announced the Senate as in regular session.

The Chair announced that committee of the whole recommend the following amendment:

Strike out the figures "7.40" in line thirty-one (31) of section one (1) and insert in lieu thereof the figures "3.60".

Senator Garst moved the adoption of the amendment recommended by the committee of the whole.

Adopted.

Senator Garst moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed.

On the question, Shall the bill pass?

Senator Saunders moved that the motion by which the bill was passed to its third reading be reconsidered.

Carried.

Senator Newberry moved to amend the bill by striking out the figures "3.50" in line 39 of section one and insert in lieu thereof the figures "2.10."

Adopted.

Senator Garst moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed; and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Ericson, Garst, Gillilland, Harper, Hartshorn, Hogue, Hughes, Jackson, Jones, Kinne, Lambert, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette Winne, Young of Lee, Young of Calhoun, Young of Washington —36.

The nays were:

None.

Absent or not voting:

Crawford, Elerick, Gale, Hasselquist, Hayward, Hopkins, Jamison, Kimmel, Lyons, Smith of Mitchell, Spaulding, Stirton, Stuckslager, Wilson of Clinton—14.

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

Senator Dowell was called to the chair at 11:20 A. M.

Senator Smith of Mitchell filed the following motion to reconsider.

I move to reconsider the vote by which Senate file No. 216 was lost on passage.

Senator Smith of Mitchell filed the following motion to reconsider.

I move to reconsider the vote by which the amendment offered by Senator Turner striking section 2 from Senate file No. 216 was lost.

SMITH of Mitchell.

Senator Kinne moved to make Senate file No. 27 a special order for 10:30 o'clock A. M. Wednesday, March 7, 1906.

Carried.

On request of Senator Hartshorn leave of absence was granted Senator Lyons for the rest of the day.

Senate file No. 44, a bill for an act to amend section eighty-eight (88) of the code, relating to the clerk of the state land office, with report of committee recommending passage was taken up, considered, and the report of the committee, adopted.

President pro tem Smith was called to the chair at 11:25 A. M.

Senator Crossley moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Ericson, Garst, Gillilland, Harper, Hartshorn, Hayward, Hogue, Hughes, Jackson, Jamison, Kinne, Lambert, Lewis, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Crawford, Elerick, Gale, Hasselquist, Hopkins, Jones, Kimmel, Lyons, Molsberry, Spaulding, Stirton, Stuckslager, Wilson of Clinton.—13.

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

Senator Bleakly moved that Senate file No. 12 be made a special order for Thursday, March 8th, at 10 o'clock A. M.

Carried.

The President resumed the chair at 11:35 A. M.

Senate file No. 164, a bill for an act to grant and relinquish to the city of Council Bluffs, Iowa, the title of the state of Iowa, in or to the meandered lake known as "Carr" lake with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Saunders moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Ericson, Garst, Gillilland, Harper, Hartshorn, Hayward, Hughes, Jackson, Jamison, Jones, Kinne, Lambert, Lewis, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Washington—35.

The nays were:

None.

Absent or not voting:

Crawford, Elerick, Gale, Hasselquist, Hogue, Hopkins, Kimmel, Lyons, Maytag, Molsberry, Stirton, Stookey, Stuckslager, Wilson of Clinton, Young of Calhoun—15.

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

Senate file No. 159, a bill for an act to amend the law as it appears in section seven hundred and twenty-nine (729) of the supplement to the code, and four hundred and twenty-two (422) of the code, relating to the powers of trustees of public libraries and to provide for the use of same by residents outside the corporate limits of the town or city in which the library is located. Also additional to title four (4) chapter ten (10) of the code, relating to the powers of township trustee with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

Senator Ericson moved the adoption of the following committee amendments:

Amend by striking out all after the word "contract," in section one (1), in the sixteenth line thereof.

Also by adding, at the end of section two (2), the following: "and to levy a tax, not exceeding one mill on the dollar, of the taxable valuation of the county, outside the corporate limits of the cities and towns located therein."

Also, by adding a new section four (4) to the bill, and by changing the present number of section four (4), to number five (5).

Adopted.

Senator Dowell moved that the time of adjournment be extended fifteen minutes and until the Journal of yesterday be corrected.

Carried.

Senator Ericson moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Courtright, Crossley, Dowell, Dunham, Eckles, Ericson, Garst, Harper, Hayward, Hughes, Jackson, Jamison, Kinne, Lambert, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stookey, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Washington —28.

The nays were:

None.

Absent or not voting:

Brooks, Bruce, Crawford, Elerick, Gale, Gilhilland, Hartshorn, Hasselquist, Hogue, Hopkins, Jones, Kimmel, Lewis, Lyons, Maytag, Stirton, Stuckslager, Taylor, Turner, Wade, Wilson of Clinton, Young of Calhoun—22.

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

INTRODUCTION OF BILLS.

By Senator Hughes (by request) Senate file No. 257, a bill for an act changing the names of the Industrial School for Boys at Eldora and the Industrial School for Girls at Mitchellville, prescribing the courses of study at these institutions and appropriating money therefor.

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

House file No. 153, a bill for an act to amend section seven (7) chapter forty (40) of the acts of the Thirtieth General Assembly of the state of Iowa, relating to primary elections and the manner in which candidates may procure their names to be placed

on the primary ticket with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Molsberry moved that the bill be passed until such a time as amendments may be made to the bill.

By unanimous consent the bill was passed and its place retained on the calendar.

Senator Warren moved that 300 extra copies of Senate file No. 30 be printed.

Carried.

PETITIONS AND MEMORIALS.

By unanimous consent Senator Winne presented petition of 1239 citizens of Buena Vista county and 453 citizens of Pocahontas county favoring the primary election law, anti-pass law and railroad rate regulation.

Referred to committee on Railroads.

The Journal of yesterday was taken up, corrected and approved.

The President announced that Senator Courtright would be unable to attend the funeral of the late Hon. David B. Henderson on account of important business, and therefore, Senator Harper would be appointed in his stead.

Senator Turner from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 269 a bill for an act to amend section seventeen hundred nine (1709) of the supplement to the code, relative to the insurance of live stock.

D. W. TURNER.
Chairman Senate Committee.
H. L. SPAULDING.
Chairman House Committee.

Order passed on file.

The time having arrived the Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, March 6, 1906.

Senate met pursuant to adjournment at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. Fred Berry of Winterset, Iowa.

On request of Senator Lyons leave of absence was granted Senator Wilson of Clinton for the day.

On request of Senator Bleakly leave of absence was granted Senator Jackson for the day.

On request of Senator Jamison leave of absence was granted Senator Stookey for the day.

On request of Senator Elerick leave of absence was granted Senator Dunham for the day.

On request of Senator Courtright leave of absence was granted Senator Molsberry for the day.

On request of Senator Ericson leave of absence was granted Senator Spaulding for the day.

On request of Senator Jones leave of absence was granted Senator Young of Calhoun for the day.

On request of Senator Kimmel leave of absence was granted Senator Wade for the day.

On request of Senator Kinne leave of absence was granted Senator Crawford for the day.

On request of Senator Maytag leave of absence was granted Senator Warren for the day.

PETITIONS AND MEMORIALS.

Senator Hayward presented petition of the Davenport Turner society against the proposed legislation prohibiting theatrical performances on Sunday.

Referred to committee on Judiciary.

Senator Smith of Mitchell asked unanimous consent for the recalling of Senate file No. 59. from the House.

Consent granted.

Senator Taylor presented petition of members of Board of Supervisors of Appanoose county asking the passage of House file No. one hundred ninety-three (193) an act to increase the per diem of members of Boards of Supervisors when acting on committee work.

Referred to committee on Compensation of Public Officers.

INTRODUCTION OF BILLS.

By Senator Harper, Senate file No. 258, a bill for an act granting additional powers to cities of the first class in levying taxes and providing means for the making, reconstruction or repair of main sewers, defining main sewers, and making certain parts of the code applicable thereto.

Read first and second time and referred to committee on Citie and Towns.

By Senator Taylor, Senate file No. 259, a bill for an act to amend section thirty-one hundred seventy-three (3173) of the code and for the suppression of frequent divorces.

Read first and second time and referred to committee on Suppression of Intemperance.

Senator Dowell asked unanimous consent to recall Senate file No. 222.

Consent granted.

THIRD READING OF BILLS.

House file No. 57, a bill for an act to amend section eighteen hundred six (1806) of code in relation to the investment of funds of life insurance companies and associations, with report of committee recommending a substitute and passage was taken up, considered, and the report of the committee adopted.

The substitute was read for information.

Senator Whipple moved that the substitute recommended by the committee be substituted for the original bill.

Carried.

Senator Dowell offered the following amendment and moved its adoption:

I moved to strike out the word and figures "fifteen (15)" in section six and insert in lieu thereof the words and figures "thirty (30)."

Adopted.

Senator Whipple moved that the rule be suspended, and that the bill be read a third time now, which mot on prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell Stuckslager, Taylor, Turner, Whipple, Wilson of Fayette, Young of Lee, Young of Washington—38.

The nays were:

None.

Absent or not voting:

Crawford, Dunham, JacOkson, olsberry, Spaulding, Stirton, Stookey, Wade, Warren, Wilson of Clinton, Winne, Young of Calhoun—12.

So the bill having received a constitutional majority was declared to have passed the Senate and its title 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. 16, a bill for an act amendatory to and additional to the law as it appears in title twelve (12) of chapter nineteen-a (19-a) repealing section two thousand six hundred-i (2600-i) and enacting a substitute therefor, and amending section two thousand six hundred-h (2600-h) of the

supplement to the code, relative to the practice of dentistry, recognizing certificates of Dental Examiners of other states and territories and providing for certificates of removal of dentists from the state.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 184, a bill for an act to legalize the acts of the town council of the town of Ida Grove, Iowa, relating to the erection of a public building and fire station in the incorporated town of Ida Grove, Iowa, and the subsequent acts of the officers of said town in relation thereto.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 250, a bill for an act to amend section fifteen (15) of chapter eighty (80), acts of the Thirtieth General Assembly relating to the State Hospital for Inebriates.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 301, a bill for an act to amend section three thousand four hundred ninety-four (3494) of chapter four (4), title eighteen (18) of the code, as the same appears in the supplement to the code, relating to the place of bringing actions.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 325, a bill for an act to amend section forty-eight hundred and twenty-two (4822) of the code relating to malicious injury to buildings and fixtures.

C. R. BENEDICT,
Chief Clerk.

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. 322, a bill for an act to legalize the incorporation of the town of Yale, Guthrie county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the council of said town.

C. R. BENEDICT,
Chief Clerk.

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 178, a bill for an act making an appropriation to defray the mileage and expenses of the members of the various committees sent by the Thirty-first General Assembly to visit the several state institutions.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House herewith returns substitute for Senate file No. 59, a bill for an act to amend section twenty-four hundred fifty (2450) of the code, relating to the sale of intoxicating liquors under the mulct law.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House herewith returns Senate file No. 222, a bill for an act to amend section fifty hundred forty (5040) of the code relative to breach of the Sabbath.

C. R. BENEDICT,
Chief Clerk.

PETITIONS AND MEMORIALS.

President Herriott presented communication of Mrs. M. J. Scott, of Marshalltown, Iowa, asking that the laws regarding eligibility to the Soldiers Home be altered so as to admit widows who have married a second time since 1885.

Referred to committe on Military.

THIRD READING OF BILLS.

Senate file No. 190, a bill for an act to legalize the action of the Board of Supervisors and other officers of Jasper county, Iowa, as far as they relate to the establishment of a certain public highway in Kellogg township, Jasper county, Iowa, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Maytag moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Taylor, Turner, Whipple, Wilson of Fayette, Young of Lee, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Crawford, Dunham, Hogue, Jackson, Molsberry, Spaulding, Stirton, Stookey, Stuckslager, Wade, Warren, Wilson of Clinton, Winne, Young of Calhoun—14.

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

The following concurrent report and resolution was received from the joint committee appointed to represent the State of of Iowa at the funeral of Hon. David B. Henderson:

CONCURRENT REPORT AND RESOLUTION.

To the Senate and House of Representatives:

The joint committee appointed to represent the State of Iowa at the funeral of Hon. David B. Henderson, and to prepare appropriate resolutions respecting his life, character and public services, beg leave to report that the entire membership of the committee attended the obsequies at Dubuque, Iowa, on Thursday, March 1, 1906, procured a suitable floral tribute as directed, and have drafted the resolutions contemplated.

The committee recommend that a joint session of the Senate and House be held on Thursday afternoon, March 8, 1906, at 2:30 o'clock, the following program to be observed at said meeting:

Call to order, ... Lieutenant-Governor Herriott
Invocation, ... Dr. A. L. Frisbie
Music, ... Hylo Quartette
Memorial and Resolutions commemorative of the life of David Bremner Henderson, ... Speaker Clarke
Music, ... Hylo Quartette
Address, ... Senator Dunham
Music, ... Hylo Quartette
Address, ... Representative Kendall

Music,.....Hylo Quartette
Benediction,.....Rev. J. F. Nugent

All of which is respectfully submitted,

JOHN HERRIOTT,
Chairman Senate Committee.
GEORGE W. CLARKE
Chairman House Committee.

Senator Harper asked unanimous consent to take up the concurrent report and resolution at this time.

Consent granted.

Senator Harper moved the adoption of the concurrent report and resolution.

Adopted.

Senate file No. 165, a bill for an act to amend section one hundred thirty-eight (138) of the code, in relation to printing the docket for the Supreme Court, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hartshorn moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now. which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Jones, Kimmel, Kinne, Lambert, Lyons, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Taylor, Turner, Whipple, Wilson of Fayette, Young of Lee, Young of Washington—34.

The nays were:

None.

Absent or not voting:

Crawford, Dowell, Hogue, Jackson, Lewis, Maytag, Molsberry, Spaulding, Stirton, Stookey, Stuckslager, Wade, Warren, Wilson of Clinton, Winne, Young of Calhoun—16.

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

Senate file No. 100, a bill for an act to amend the law as it appears in chapter eight (8), title thirteen (XIII) of the code, so as to raise the maximum age of commitment of females to the Industrial School to eighteen years and to raise the limit of the age of discharge therefrom to twenty-one years, with report of committee recommending a substitute and passage was taken up, considered, and the report of the committee adopted.

The substitute was read for information.

Senator Saunders moved that the substitute recommended by the committee be substituted for the original bill.

Carried.

Senator Saunders moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read the third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jones, Kimmel, Kinne, Lambert, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Taylor, Turner, Whipple, Wilson of Fayette, Young of Lee, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Crawford, Hogue, Jackson, Jamison, Lewis, Molsberry, Spaulding, Stookey, Stuckslager, Wade, Warren, Wilson of Clinton, Winne, Young of Calhoun—14.

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

Senate file No. 47, a bill for an act to amend section forty-seven (47) of the code relative to compensation of newspapers for the publication of laws, with report of committee recommending a substitute and passage was taken up, considered, and the report of the committee adopted.

The substitute was read for information.

Senator Garst moved that the substitute recommended by the committee be substituted for the original bill.

Carried.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Crossley, Dowell, Eckles, Elerick, Ericson, Gale, Garst, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Kimmel, Kinne, Lambert, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Stirton, Stuckslager, Taylor, Wilson of Fayette, Young of Washington—29.

The nays were:

Whipple—1.

Absent or not voting:

Courtright, Crawford, Dunham, Gillilland, Hogue, Jackson, Jamison, Jones, Lewis, Molsberry, Smith of Mitchell, Spaulding, Stookey, Turner, Wade, Warren, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun—20.

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

Senator Dowell filed the following motion to reconsider:

I move to reconsider the vote by which Senate file No. 222 passed the Senate.

C. C. DOWELL.

Senator Dowell filed the following motion to reconsider:

I move to reconsider the vote by which Senate file No. 222 passed to its third reading.

C. C. DOWELL.

Senator Smith of Mitchell asked unanimous consent to call up his motion to reconsider the vote by which Senate file No. 216 was lost on passage.

Consent granted.

Senator Smith of Mitchell moved to reconsider the vote by which Senate file No. 216 was on passage.

On the question, Shall the motion prevail?

The yeas were:

Bleakly, Brooks, Courtright, Crossley, Dowell, Ericson, Gale, Garst, Harper, Hayward, Hopkins, Hughes, Kimmel, Kinne, Lambert, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Taylor, Turner, Whipple, Wilson of Fayette, Young of Lee, Young of Washington—29.

The nays were:

Elerick, Gillilland, Hartshorn, Hasselquist, Jones—5.

Absent or not voting:

Bruce, Crawford, Dunham, Eckles, Hogue, Jackson, Jamison, Lewis, Molsberry, Spaulding, Stookey, Wade, Warren, Wilson, of Clinton, Winne, Young of Calhoun—16.

So the motion prevailed.

Senator Smith of Mitchell moved that the vote by which the bill passed to its third reading be reconsidered.

Carried.

Senator Smith of Mitchell moved that the vote by which the amendment offered by Senator Turner was lost be reconsidered.

Carried.

On the question, Shall the amendment offered by Senator Turner be adopted?

The amendment was adopted.

Senator Smith of Mitchell moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crossley, Dowell, Dunham, Eckles, Ericson, Gale, Garst, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jamison, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Taylor, Turner, Whipple, Wilson of Fayette, Young of Lee, Young of Washington—36.

The nays were:

Bruce, Elerick, Gillilland, Jones—4.

Absent or not voting:

Crawford, Jackson, Molsberry, Spaulding, Stookey, Wade Warren, Wilson of Clinton, Winne, Young of Calhoun—10.

So the bill having received a constitutional majority was declared to have passed the Senate and its title 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. 244, a bill for an act to amend sections twenty-three (23), fifty-nine (59), five hundred fifty-five (555), twenty-seven hundred fifty-five (2755), twenty-eight hundred twenty-eight (2828), twenty-eight hundred forty-one (2841), eighteen hundred sixty-four (1864), two thousand ninety-three, (2093)two hundred thirty-two, (232), thirty-three hundred seven (3307), thirty-four hundred three (3403), four thousand twenty-four (4024), three hundred ninety-nine (399), four hundred (400), four hundred forty-six (446), nineteen hundred forty (1940), nineteen hundred forty-four (1944), nineteen hundred eighty-one (1981), twenty-three hundred seventy-two(2372), twenty-three hundred seventy-four(2374),six hundred (600),six hundred eight (608), six hundred eleven(611), six hundred fifteen (615), six hundred thirty-three (633), nine hundred twenty-six (926), two thousand three (2003), fifty-six hundred twenty-six (5626) of the code, to amend the law as it appears in section six hundred two (602) of the supplement to the code and to amend section three (3) of chapter one hundred fourteen (114), section eight (8), of chapter sixty-eight (68), and section eight (8) of chapter forty-three (43) acts of the Thirtieth General Assembly relating to legal publication.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 209, a bill for an act to encourage the planting of forest and fruit trees in the state of Iowa.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 280, a bill for an act to amend sections twenty-five hundred seventy-five-c, (2575-c), twenty-five hundred seventy-five-d, (2575-d) twenty-five hundred seventy-five-e (2575-e), and twenty-five hundred seventy five-f, (2575-f) of chapter sixteen-a (16-a) of the supplement to the code.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 45, a bill for act to amend section twenty-four hundred, eighty-nine-c (2489-c) of the supplement to the code relating to compensation of the board of examiners of mine foremen, pit bosses and hoisting engineers.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 257, a bill for an act to amend section seventeen hundred nine (1709) of the code and of the supplement to the code relating to insurance.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 318, a bill for an act to legalize the incorporation of the town of Woodbine, Harrison county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the council of said town.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 336, a bill for an act to authorize the Executive Council to convey to Jones county, Iowa, a roadway through the east-half of the southwest quarter of section thirty-three (33), township eighty-five (85), north of range four (4), west of the fifth principal meridian.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 214, a bill for an act to amend section nine-hundred two (902) of the code.

C. R. Bvoter ,
Chief Clerk.

THIRD READING OF BILLS.

Senate file No. 136, a bill for an act additional to and amendatory of the law as it appears in chapter six (6), of title twelve (12), of the code of 1897, and supplement to the code, relative to intoxicating liquors, providing for the appointment of district marshals and their deputies, describing their duties, fixing their compensation and creating a fund therefor, with report of committee recommeding indefinite postponment, was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

Senate file No. 158, a bill for an act to amend seetion eighteen hundred eighty-five (1885) of the code relating to fraudulent banking, with report of committee recommending indefinite postponement was taken up, considered and the report of the committee adopted.

So the bill was indefinitely postponed.

Senate file No. 163, a bill for an act prohibiting manipulation of the Babcock test and providing punishment therefor, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Newberry moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Whipple, Wilson of Fayette, Young of Lee, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Crawford, Dowell, Harper, Jackson, Molsberry, Spaulding, Wade, Warren, Wilson of Clinton, Winne, Young of Calhoun—11.

Senator Newberry offered the following amendment to the title and moved its adoption:

Amend the title by inserting after the word "test" the following words, "or any other contrivance used for determining the quality of milk or cream."

Adopted.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended agreed to.

House file No. 97, a bill for an act appropriating fifty dollars for the purpose of repairing the Soldiers' Orphans' monument at Cedar Falls, and inscribing the names of deceased soldiers orphans thereon, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

Senator Garst moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Eckles, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hughes, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Taylor, Turner, Whipple, Wilson of Fayette, Young of Lee, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Crawford, Dowell, Dunham, Elerick, Hopkins, Jackson, Molsberry, Spaulding, Stookey, Wade, Warren, Wilson of Clinton, Winne, Young of Calhoun—14.

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

By unanimous consent, on motion of Senator Dowell, Senate file No. 222, a bill for an act to amend section five thousand forty (5040) of the code relative to breach of the Sabbath was taken up and considered.

Senator Dowell moved that the vote by which the bill passed the Senate be reconsidered.

On the question, Shall the motion prevail?

A roll call was demanded.

The yeas were:

Brooks, Bruce, Courtright, Dowell, Eckles, Gale, Gillilland, Harper, Hayward, Hogue, Hopkins, Jamison, Lambert, Lyons, Newberry, Saunders, Smith of Des Moines, Stuckslager, Turner, Whipple, Wilson of Fayette, Young of Lee, Young of Washington—23.

The nays were:

Bleakly, Crossley, Ericson, Garst, Hartshorn, Hasselquist, Hughes, Kimmel, Kinne, Lewis, Smith of Mitchell, Stirton, Taylor—13.

Absent or not voting:

Crawford, Dunham, Elerick, Jackson, Jones, Maytag, Molsberry, Spaulding, Stookey, Wade, Warren, Wilson of Clinton, Winne, Young of Calhoun—14.

So the motion prevailed.

Senator Dowell moved to reconsider the vote by which the bill was passed to its third reading.

Carried.

Senator Dowell moved that the bill be re-referred to the Judiciary committee.

Carried.

So the bill was re-referred to the Judiciary committee.

Senate file No. 142, a bill for an act to amend the law as it appears in section twenty-seven hundred twenty-seven-c (2727-c) of the supplement to the code relating to salaries, with the report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Jamison was called to the chair at 11:40 A. M.

Senator Hughes moved the adoption of the following committee amendment:

Amend by striking out the word "fifteen" in the fifth line of section one (1) thereof and inserting in lieu thereof the word "eighteen."

Adopted.

Senator Hughes moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson. Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jones, Kimmel, Kinne, Lambert, Lewis, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Turner, Whipple, Wilson of Fayette, Young of Lee, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Crawford, Hogue, Jackson, Jamison, Lyons, Molsberry, Spaulding, Stookey, Taylor, Wade, Warren, Winne, Wilson of Clinton, Young of Calhoun—14.

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

INTRODUCTION OF BILLS.

By Senator Dowell, Senate file No. 260, a bill for an act to provide for the consolidation and change of boundaries of school districts in certain cities of the first class, and other purposes incident thereto.

Read first and second time and referred to committee on Schools.

By Senator Jamison, Senate file No. 261, a bill for an act to authorize the board of trustees of the Iowa State Agricultural College to grant a right of way to the Central Railway Company of Iowa, over and across section thirty-three (33), township eighty-four (84), range twenty-four (24) and sections twenty-five (25), four (4), nine (9), ten (10), fourteen (14), township eighty-three (83), range twenty-four (24), west of the fifth principal meridian.

Read first and second time and referred to committee on Railroads.

By Senator Saunders, Senate file No. 262, a bill for an act to amend section five thousand seventy-one (5071), of the code in reference to the wearing of the insignia of secret societies by unauthorized persons.

Read first and second time and referred to committee on Judiciary.

President Herriott resumed the chair at 11:50 A. M.

Senator Garst was called to the chair at 11:55 A. M.

Senator Smith of Mitchell moved that the time of adjournment be extended ten minutes.

Carried.

HOUSE MESSAGES CONSIDERED.

House file No. 244, a bill for an act to amend sections twenty-three (23), fifty-nine (59), five hundred fifty-five (555), twenty-seven hundred fifty-five (2755), twenty-eight hundred twenty-eight (2828), twenty-eight hundred forty-one (2841), eighteen hundred sixty-four (1864), two thousand ninety-three (2093), two hundred thirty-two (232), thirty-three hundred seven (3307) thirty-four hundred three (3403), four thousand twenty-four (4024), three hundred ninety-nine (399), four hundred (400), four hundred forty-six (446) nineteen hundred forty (1940), nineteen hundred forty-four (1944), nineteen hundred eighty-one (1981), twenty-three hundred seventy-two (2372), twenty-three hundred seventy-four (2374), six hundred (600), six hundred eight (608), six hundred eleven (611), six hundred fifteen (615), six hundred thirty-three (633), nine hundred twenty-six (926), two thousand three (2003), fifty-six hundred twenty six (5626), of the code to amend the law as it appears in section six hundred two (602), of the supplement to the code and to amend

section three (3) of chapter one hundred fourteen (114), section (8) of chapter sixty-eight (68), and section eight (8) of chapter forty-three (43) acts of the Thirtieth General Assembly relating to legal publication.

Read first and second time and referred to committee on Printing.

House file No. 209, a bill for an act to encourage the planting of forest and fruit trees in the State of Iowa.

Read first and second time and referred to committee on Agriculture.

House file No. 280, a bill for an act to amend sections twenty-five hundred seventy-five-c (2575-c), twenty-five hundred seventy-five-d (2575-d), twenty-five hundred seventy-five-e (2575-e) and twenty-five hundred seventy-five-f (2575-f) of chapter sixteen-a (16-a) of the supplement to the code.

Read first and second time and referred to committee on Agriculture.

House file No. 45, a bill for an act to amend section twenty-four hundred eighty-nine-c (2489-c) of the supplement to the code relating to compensation of the Board of Examiners of mine foremen, pit bosses, and hoisting engineers.

Read first and second time and referred to committee on Mines and Mining.

House file No. 257, a bill for an act to amend section seventeen hundred nine (1709) of the code and of the supplement to the code relating to insurance.

Read first and second time and referred to committee on Insurance.

House file No. 318, a bill for an act to legalize the incorporation of the town of Woodbine, Harrison county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the council of said town.

Read first and second time and referred to committee on Judiciary.

House file No. 336, a bill for an act to authorize the Executive Council to convey to Jones county, Iowa, a roadway through the east half of the south west quarter of section thirty-three, (33), township eighty-five, (85), north of range four (4), west of the fifth principal meridian.

Read first and second time and referred to committee on Judiciary.

House file No. 214, a bill for an act to amend section nine hundred two (902) of the code.

Read first and second time and referred to committee on Judiciary.

House file No. 16, a bill for an act amendatory to and additional to the law as it appears in title twelve (XII), of chapter nineteen-a (19-a), repealing section twenty-six hundred-i, (2600-i) and enacting a substitute therefor and amending section twenty-six hundred-h, (2600-h) of the supplement to the code relating to the practice of dentistry, recognizing certificates of dental examiners of other states and territories and providing for certificates of removal of dentists from the state.

House file No. 250, a bill for an act to amend section fifteen (15) of chapter eighty (80) acts of the Thirtieth General Assembly relating to the State Hospital for Inebriates.

Read first and second time and referred to committee on Suppression of Intemperance.

House file No. 301, a bill for an act to amend section twenty-four hundred ninety-four (2494) title eighteen (18) of the code as the same appears in the supplement to the code relating to place of bringing actions.

Read first and second time and referred to committee on Judiciary.

House file No. 325, a bill for an act to amend section forty eight hundred twenty-two (4822) of the code relating to malicious injury to buildings and fixtures.

Read first and second time and referred to committee on Judiciary.

House file No. 322, a bill for an act to legalize the incorporation of the town of Yale, Guthrie county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the council of said town.

Read first and second time and referred to committee on Judiciary.

Senate file No. 184, a bill for an act to legalize the acts of the town council of Ida Grove, Iowa, relating to the erection of a public building and fire station in the incorporated town of Ida Grove, Iowa, and the subsequent acts of the officers of said town in relation thereto.

Ordered passed on file.

House concurred in Senate amendments to House file No. 178, a bill for an act making an appropriation to defray the mileage and expenses of the members of the various committees sent by the Thirty-first General Assembly to visit the several State institutions.

Ordered passed on file.

House returns Senate file No. 59, a bill for an act to amend section twenty-four hundred fifty, (2450) of the code, relating to the sale of intoxicating liquors under the mulct law.

Referred to committee on Suppression of Intemperance.

President Herriott resumed the chair at 12:05 P. M.

INTRODUCTION OF BILLS.

By Senator Lewis, Senate file No. 263, a bill for an act providing for state supervision of private banks.

Read first and second time and referred to committee on Banks and Banking.

The Journal of February 28th was taken up, corrected and approved.

The time having arrived the Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
Des Moines, Iowa, Wednesday, March 7, 1906.

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by Rev. Jesse Cole of Marshalltown, Iowa.

On request of Senator Whipple leave of absence was granted Senator Saunders for the day.

INTRODUCTION OF BILLS.

By Senator Newberry, Senate file No. 264, a bill for an act to amend section forty-five hundred forty-seven (4547) of the code relative to appeals from Justice Courts.

Read first and second time and referred to committee on Judiciary.

By Senator Lyons, Senate file No. 265, a bill for an act making an appropriation for the improvement of the water supply of the institution for feeble minded children at Glenwood.

Read first and second time and placed on Calendar.

By Senator Crossley, Senate file No. 266, a bill for an act to repeal section twenty-nine hundred seventy-two (2972) of the code and enact a substitute therefor and to repeal section forty hundred eleven of the code and enact a substitute therefor, relating to exemptions to the heads of families, residents in this state

Read first and second time and referred to committee on Ways and Means.

REPORTS OF COMMITTEES.

Senator Hayward, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means to whom was

referred House file No. 171, a bill for an act to amend section twenty hundred fifty-two (2052) of the code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows.

Amend the title by inserting after the word "Code" and before the period the words "relating to."

Amend section one (1) by inserting the figures 2052 in parenthesis after the word "fifty two" in the first line thereof; also further amend said section by striking out the words and figures "of 1897" in the second line thereof, also further amend said section by striking out the figures "10" and parenthesis inclosing same in the third line thereof and the figures "11" and parenthesis in the fifth line; also further amend by adding the letter "s" to the word "declaration" in the fifth line.

And when so amended the bill do pass.

W. C. HAYWARD,
Chairman.

Ordered passed on file.

Senator Dowell from the committee on Judiciary submitted the following report:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 256, a bill for an act to amend section fifty-five hundred eighty-five (5585) of the code, providing for giving the state a change of venue in criminal cases after the defendant has taken a change, beg leave to report that 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.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 244, a bill for an act to legalize acknowledgments of instruments in writing heretofore taken by Notaries Public, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 248, a bill for an act to amend the law as it appears in sec-

tion thirteen hundred four (1304) of the code relating to exemption of personal property from taxation, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 322, a bill for an act to legalize the incorporation of the town of Yale, Guthrie county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done 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 same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 285, a bill for an act to legalize the special election held in Armstrong, Monday, May 18, A. D., 1903, granting a franchise to the Armstrong Light and Heating Company, and all the ordinances, resolutions and acts of said council with reference thereto recited in 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 recommenation that the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 255, a bill for an act to legalize certain instruments in writing which were defectively acknowledged, beg leave to report that 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.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 250, a bill for an act to amend section fifteen (15) of chapter eighty (80) acts of the Thirteenth General Assembly relating to the State

Hospital for inebriates, beg leave to report that 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. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 258, a bill for an act to legalize the appointment of trustees for Cedar township, Linn county, Iowa, by the auditor of said county for the year 1906, beg leave to report that 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. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 242, 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 same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 318, a bill for an act to legalize the incorporation of the town of Woodbine, Harrison county, Iowa, the election of its officers, the passage and adoption of its ordinance and resolutions and all acts done 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 same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—You committee on Judiciary to whom was referred House file No. 301, a bill for an act to amend section thirty-four hundred ninety-four (3494) of chapter four (4), title eighteen (18) of the code as the same appears in the supplement to the code, relating to the place of bringing

actions, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

That section one (1) be amended by adding after the word "that" in the first line thereof the words "the law as it appears in."

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 214, a bill for an act to amend section nine hundred two (902) of the code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 49, a bill for an act making it a misdemeanor for unlawfully omitting to provide for a wife or child, beg leave to report that they have had the same under consideration and have instructed me to report the same back to this Senate with the recommendation that the same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 186, a bill for an act to repeal section four hundred sixteen 416) of the code of Iowa relating to supervisors' districts and to enact a substitute therefor providing for the election of supervisors for the county at large, beg leave to report that 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 special committee on Tenure of Office.

C. C. DOWELL,
Chairman.

Adopted.

Referred to committee on Tenure of Office.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 227, a bill for an act to amend chapter sixty-eight (68) of the laws of the Thirtieth General Assembly relative to the establishment of levees, ditches, drains and water courses, beg leave to report that 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. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 67, a bill for an act making it a crime to offer or promise money, property, or anything of value, or gift or gratuity to an agent, employee, or servant without the knowledge or consent of the principal, employer, or master of such agent, employee or servant, with intent to influence his actions in relation to his principal's, employer's, or master's business, or an agent, employee, or servant, who without the knowledge and consent of his principal, employer or master, requests or accepts a gift or gratuity or a promise to make a gift or do any act beneficial to himself under an arrangement or understanding that he shall act in any particular manner as to his principal's, master's or employer's business shall be guilty of a crime, beg leave to report that 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.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed,

THIRD READING OF BILLS.

House file No. 23, a bill for an act providing limitations for the commencement of actions relative to real property, additional to chapter two (2) title eighteen (18) of the code with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

Senator Lyons moved the adoption of the following committee amendments:

Amend section two (2) by inserting after the word "yet" in the fifth line thereof the words "more than ten years past."

Amend the bill by striking out section 3.

Adopted.

By unaminous consent the bill was passed and its place retained on the calendar.

House file No. 12, a bill for an act relating to the time of bringing actions against estates of decedents and additional to section thirty-four hundred forty-seven (3447) of the code with report of committee recommending passage was taken up, considered and the report of the committee adopted.

Senator Young of Calhoun moved that the rule be suspended and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—46.

The nays were:

None.

Absent or not voting:

Hogue, Saunders, Stuckslager, Wade—4.

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

Senate file No. 32, a bill for an act to protect creditors who deposit money in savings, state and private banks with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

Senate file No. 173, a bill for an act to amend sections seventy (70) seventy-one (71) and one hundred forty-one (141) of the code, and to repeal the law as it appears in section one hundred twenty-five (125) of the supplement to the code and enact a substitute therefor, and to repeal the law as it appears in section one

hundred twenty-six (126) of the supplement to the code, as amended by chapter five (5) of the acts of the Thirtieth General Assembly, and enact a substitute therefor and to amend the law as it appears in section twenty-six hundred twenty-two (2622) of the supplement to the code, relating to printing and binding, with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

Senator Lambert moved the adoption of the following committee amendments:

Amend section five (5) of said bill by inserting after the word "cases" in the second line of sub-section ten (10) thereof the words "regular document size."

Adopted.

Senator Lambert offered the following amendment and moved its adoption:

Amend section one (1) by striking out the word "even" in the third line of said section, as it appears in the printed bill, and inserting in lieu thereof the word "odd."

Adopted.

Senator Lambert offered the following amendment and moved its adoption:

Amend section three (3) by inserting after the word "statistics" as it appears in line thirty of the printed bill, the words, "the report of the State Librarian."

Adopted.

Senator Lambert moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Noines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—45.

The nays were:

None.

Absent or not voting:

Dowell, Gale, Hopkins, Saunders, Stuckslager—5.

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

Senate file No. 27, a bill for an act to amend sections twenty-seven hundred thirty-nine (2739), twenty-seven hundred fifty-four (2754) twenty-seven hundred fifty-seven (2757) twenty-seven hundred sixty-two (2762), twenty-seven hundred sixty-four (2764), twenty-seven hundred sixty-five (2765), twenty-seven hundred sixty-nine (2769), twenty-seven hundred seventy-three (2773), twenty-seven hundred eighty-five (2785), twenty-seven hundred ninety-three (2793), twenty-eight hundred (2800), twenty-eight hundred one (2801), twenty-eight hundred two (2802), and twenty eight hundred six (2806) of the code and supplement to the code relative to the school year, organization and annual meeting of school boards and reports of school officers, with report of committee recommending a substitute and passage was taken up, considered and the report of the committee adopted.

The substitute was read for information

Senator Harper was called to the chair at 10:55 A. M.

Senator Kinne moved that the substitute recommended by the committe be substituted for the original bill.

Carried.

Senator Kinne moved that the rule be suspended and that the bill be considered engrossed, and read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of

Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—48.

The nays were:

None.

Absent or not voting:

Gale, Saunders—2.

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

President Herriott resumed the chair at 11 o'clock A. M.

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 concurred in the Senate substitute amendment to House file No 57, in which the concurrence of the House was asked:

A bill for an act to amend section eighteen hundred six (1806) of the code in relation to the investment of funds of life insurance companies and associations.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 286, a bill for an act to amend sections nine hundred twenty-two (922), nine hundred twenty-three (923) and nine hundred twenty-four (924) of the code relating to the platting of land by the county auditor.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 299, a bill for an act to amend section fifteen hundred sixty-six-a (1566-a) of the supplement to the code, relating to publication of itemized accounts of township officers.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 122, a bill for an act to amend section fourteen hundred sixty-seven (1467) of the code relating to assessment and collection of collateral inheritance tax.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 261, a bill for an act to amend section eight hundred ninety-four (894) of the code and to provide for the repair, maintenance and preservation of buildings and improvements upon real estate owned by a city.

C. R. BENEDICT,
Chief Clerk.

Also:

MR PRESIDENT—I am directed to imform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate file No. 180, a bill for an act making an appropriation for the erection of a monument at the Aspen Grove Cemetery, Burlington, Iowa, to perpetuate the memory of John Morgan and providing the method of such erection.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 53, a bill for an act to amend section three hundred eight (308) of the supplement to the code relating to the compensation of county attorney.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted and concurred in the concurrent report and resolution providing for a joint session of the Senate and House to commemorate the life, character and public services of the late Hon. David Bremner Henderson.

C. R. BENELICT,
Chief Clerk.

Also:

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

Senate concurrent resolution relative to the publishing of five thousand copies of the pure food law for general distribution.

C. R. BENEDICT,
Chief Clerk.

Also:

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:

CONCURRENT RESOLUTION RELATIVE TO THE IMPROVEMENT OF THE UPPER MISSISSIPPI RIVER.

WHEREAS, The people of Iowa are deeply interested in the permanent improvement of the Upper Mississippi River, which stream washes the Eastern border of our State, and which is easily susceptible to such improvement at moderate expense, therefore,

Be it Resolved by the House, the Senate concurring, That we fully endorse the memorial for the improvement of the said river, as presented by the Upper Mississippi River Improvement Association to the committee on Rivers and Harbors, and earnestly ask the Senators and Representatives from this State to aid in securing the appropriation asked for, when a river and harbor bill is formulated and presented to Congress.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

Senate file No. 193, a bill for an act making appropriation for the erection of a monument in Sheron Cemetery, Lee county, Iowa, over the grave of George Perkins, a soldier of the Revolutionary war, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent the committee amendment was withdrawn from consideration.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes Jackson, Jamison, Jones, Kimmel, Kinne, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—47.

The nays were:

None.

Absent or not voting:

Hogue, Lambert, Saunders—3.

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

Senate file No. 91, a bill for an act to repeal the law as it appears in section twenty-five hundred seventy-a (2570-a) of the supplement to the code and chapter ninety-eight (98) laws of the Thirtieth General Assembly, relating to quarantine, the care of infected persons and the payment of expenses incurred thereby and to enact a substitute therefor,with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Elerick moved to strike out the publication clause of the bill.

Carried.

Senator Wilson of Fayette moved that the rule be suspendeded, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines,

Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—47.

The nays were:

None.

Absent or not voting:

Brooks, Saunders, Turner—3.

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

House file No. 153, a bill for an act to amend section seven (7), chapter forty (40) of the act of the Thirtieth General Assembly of the State of Iowa relating to primary elections with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Molsberry offered the following amendment and moved its adoption:

I move to amend the bill by adding to section one (1) of the printed bill the following: And by striking out the words "said county" in the sixth (6th) line of said section, and inserting in lieu thereof the following: "the county, if for a county office, or of the district or state when they are candidates for a district or state office."

Insert after the word "county" in the eighth (8th) line of said section the words "district or state."

Adopted.

Senator Dowell offered the following amendment and moved its adoption:

I move to amend the bill by adding as section two the following:

Sec. 2. That section two (2) be amended by striking out the word and figures "six (6)" in the sixth line, and by inserting in lieu thereof the words and figures "seven (7)" And that section two (2) of the bill be numbered section three (3).

Adopted.

Senator Dowell moved that the rule be suspended, and that 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:

Bleakly, Brooks, Courtwright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of DesMoines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—45.

The nays were:

None.

Absent or not voting:

Bruce, Garst, Hogue, Hopkins, Saunders—5.

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

Senator Hughes presented the following communication which was read and ordered printed in the Journal:

To the Governor and Members of the Thirty-first General Assembly:

I am requested by the Iowa City Commercial Club and citizens of Iowa City, to extend to you a cordial invitation to visit the Iowa University at Iowa City, on Wednesday, March 14, 1906, as the honored guests of said city, and on behalf of the citizens of Iowa City, and the Commercial Club, I can assure you of a cordial reception and that every effort will be made on our part to make your visit an enjoyable one, and we trust you will accept the above invitation and hope that no regrets may be tendered.

G. W. KOONTZ,
Representative 41st District.

Seconded by

J. HUGHES, JR.,
Senator 25th District.

Senator Hughes moved that the invitation be accepted.

On the question, Shall the motion prevail?

A roll call was demanded.

The yeas were:

Bleakly, Courtright, Crawford, Crossley, Dunham, Eckles, Gale, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Kimmel, Molsberry, Newberry, Stookey, Stuckslager, Taylor, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Young of Calhoun—24.

The nays were:

Brooks, Dowell, Elerick, Garst, Harper, Hartshorn, Jones, Kinne, Lambert, Lewis, Lyons, Maytag, Smith of Mitchell, Spaulding, Stirton, Turner, Winne, Young of Lee, Young of Washington—19.

Absent or not voting:

Bruce, Ericson, Gilliland, Hogue, Saunders, Smith of Des Moines, Whipple—7.

So the invitation was accepted.

REPORTS OF COMMITTEE.

Senator Dunham, from the committee on Suppression of Intemperence, submitted the following report:

MR. PRESIDENT—Your committee on Suppression of Intemperance to whom was referred Senate file No. 259, a bill for an act to amend section thirty-one hundred seventy-three (3173) of the code relating to 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 same be referred to the Judiciary committee.

GEO. W. DUNHAM,
Chairman.

Adopted and referred to Judiciary committee.

Also:

MR. PRESIDENT—Your committee on Suppression of Intemperance to whom was referred Senate file No. 239, a bill for an act to amend the law as it appears in section twenty-four hundred forty-eight (2448) of the code relating to establishment of saloons within certain distance of specified buildings and places, and to include cemeteries among the places, affected by the provisions of said section, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out the word "eighth" appearing in the third and fifth lines of section one (1) and insert the word "seventh" in lieu thereof.

And when so amended the bill do pass.

GEO. W. DUNHAM,
Chairman.

Ordered passed on file.

INTRODUCTION OF BILLS.

By Senator Dunham, Senate file No. 267, a bill for an act to amend section one hundred fifty-four (154) of the code, relating to the salary of the Custodian of Public Buildings.

Read first and second time and referred to committee on Compensation of Public Officers.

The Journal of yesterday was taken up, corrected and approved.

Senator Elerick moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, March 8, 1906.

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. E. S. Ely of Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Lambert presented petition of residents of Sabula, Iowa, asking such changes in the statutes as will give municipalities the right to regulate rates and service of Telephone Companies.

Referred to committee on Judiciary.

Senator Stuckslager presented petition of Citizens of Lisbon, Iowa, favoring the proposed exemption law.

Referred to committee on Judiciary.

Senator Ericson presented petition of 14 citizens favoring the passage of the A. O. U. Model Law as endorsed by the Audubon Society of Iowa.

Referred to committee on Fish and Game.

Senator Molsberry presented petition of citiz ns of Oakville, Iowa, asking such change in the statutes as will give municipalities greater regulation of rates and service of telephone companies.

Referred to committe on Judiciary.

Senator Ericson presented petition of Ministerial Union of Boone, Iowa, requesting the Senate not to reconsider the vote on Senate file No. 222, relative to the breach of the Sabbath.

Referred to committee on Judiciary.

Senator Garst presented petition of sixty residents of Coon Rapids, Iowa, favoring the passage of the proposed law prohibiting the playing of base ball on the Sabbath.

Referred to committee on Judiciary.

Senator Crossley presented petition of registered pharmacists and grocers of Winterset favoring an increase of license to itinerant venders from $100.00 to $300.00 per year.

Referred to committee on Pharmacy.

Senator Hogue presented petition of business men of Schleswig, Iowa, favoring the passage of the proposed law raising the license to itinerant venders from $100.00 to $300.00 per year.

Referred to committee on Pharmacy.

Senator Young of Calhoun presented petition of residents of Barnum, Iowa, favoring the passage of the "Reciprocal Demurrage Bill."

Referred to committee on Railroads.

Senator Bleakly presented resolution of citizens of LeMars, Iowa, urging the passage of the "Reciprocal Demurrage Bill" and endorsing the acts of President Roosevelt and Governor Cummins in regard to regulation of railroads.

Referred to committee on Elections.

INTRODUCTION OF BILLS.

By Senator Young of Washington, Senate file No. 268, a bill for an act appropriating money to pay the expenses of the members of the Iowa Shiloh Battlefield Monument Commission, the Iowa Vicksburg Park Monument Commission, the Iowa Lookout Mountain and Missionary Ridge Monument Commission, and the Iowa Andersonville Prison Monument Commission, and their guests, upon a joint visit to the several fields upon which monuments have been erected under their supervision, for the purpose of dedicating the same.

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

By Senator Lewis, Senate file No. 269, a bill for an act to define and regulate private banks.

Read first and second time and referred to committee on Banks and Banking.

By Senator Saunders, Senate file No. 270, a bill for an act authorizing the employment of special counsel to assist the Attorney General in certain litigation and making an appropriation therefor.

Read first and second time and referred to committee on Judiciary.

HOUSE MESSAGES CONSIDERED.

House concurred in Senate amendments to House file No. 57, a bill for an act to amend section eighteen hundred-six (1806) of the code in relation to the investment of funds of life insurance companies and associations.

Ordered passed on file.

House file No. 286, a bill for an act to amend section nine hundred-twenty-two (922), nine hundred-twenty-three (923) and nine hundred twenty-four (924) of the code relating to the platting of land by the County Auditor.

Read first and second time and referred to committee on Cities and Towns.

House file No. 299, a bill for an act to amend section fifteen hundred sixty-six-a (1566-a) of the supplement to the code, relating to publication of itemized accounts of township officers.

Read first and second time and referred to committee on Judiciary.

House file No. 261, a bill for an act to amend section eight hundred ninety-four (894) of the code and to provide for the repair, maintenance and preservation of buildings and improvements upon real estate owned by a city.

Read first and second time and referred to committe on Judiciary.

House file No. 53, a bill for an act to amend section three hundred eight (308) of supplement to the code relating to the compensation of county attorney.

Read first and second time and referred to committee on Compensation of Public Officers.

Senate file No. 122, a bill for an act to amend section fourteen hundred sixty seven (1467) of the code relating to assessment and collection of collateral inheritance tax.

Ordered passed on file.

Senate file No. 180, a bill for an act making an appropriation for the erection of a monument at the Aspen Grove Cemetery, Burlington, Iowa, to perpetuate the memory of John Morgan and providing the method of such erection.

Ordered passed on file.

Senate concurrent report and resolution providing for a joint session of the Senate and House to commemorate the life, character and public services of the late David Bremner Henderson.

Ordered passed on file.

Senate concurrent resolution relative to the publishing of 5,000 copies of pure food law for general distribution.

Ordered passed on file.

House concurrent resolution memoralizing Congress in regard to the improvement of the upper Mississippi river.

Senator Hayward moved that the Senate concur in the concurrent resolution.

Carried.

So the concurrent resolution was concurred in.

REPORTS OF COMMITTEES

Senator Hasselquist, from the committee on Highways, submitted the following report:

MR. PRESIDENT—Your committee on Highways, to whom was referred Senate file No. 5, a bill for an act to amend the law as it appears in section fifteen hundred thirty-three (1533) of the supplement to the code in relation to road taxes and work on highways, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

R. A. HASSELQUIST,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Highways to whom was referred Senate file No. 202, a bill relating to the expending of road funds and amending section fifteen hundred forty-eight (1548) of the code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

R. A. HASSELQUIST,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

Also:

MR. PRESIDENT—Your committe on Highways, to whom was referred Senate file No. 19, for an act to amend chapter fifty-three (53), acts of the Twenty-ninth General Assembly, relative to the duties of township trustees; the election, duties and compensation of road superintendents; the division and consolidation of road districts, and the collection of property road tax, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

R. A. HASSELQUIST,
Chairman.

Adopted.

So the bill was indefinitely postponed

Also:

MR. PRESIDENT—Your committee on Highways, to whom was referred Senate file No. 203, a bill for an act relating to the collection of poll tax and amending section fifteen hundred fifty (1550) of the code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

R. A. HASSELQUIST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Highways, to whom was referred House file No. 39, a bill for an act to amend section fifteen hundred thirty (1530), chapter two (2), title eight (8), of the supplement to the code of Iowa in relation to the levy of a county road 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 the same be amended as follows, by stirking out the words "twenty five per cent" and insert in lieu thereof the words "a majority" in line one(1) of section one (1) and when so amended the bill do pass.

R. A HASSELQUIST,
Chairman.

Ordered passed on file.

Senator Brooks, 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 to amend section sixteen hundred fifty-seven-d (1657-d) of the supplement to the code, relating to the Agricultural Convention, beg leave to report that they have had the same under consid-

eration and have instructed me to report the same back to the Senate with the recommendation that the following be substituted therefor, and when so substituted the same do pass.

JOHN T. BROOKS,
Chairman.

SUBSTITUTE FOR SENATE FILE NO. 110.

A BILL for an act to amend the law as it appears in sixteen hundred fifty-seven-d (1657-d) of the supplement to the code, relating to the Agricultural Convention.

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

Section 1. That the law as it appears in the last sentence of section sixteen hundred fifty-seven-d (1657-d) of the supplement to the code is hereby repealed, and the following enacted in lieu thereof: "On all questions arising for determination by the convention each member present shall be entitled to but one vote, and no proxies shall be recognized by the convention."

The substitute was read first and second times and ordered passed on file.

Senator Brooks, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture to whom was referred House file No. 280, a bill for an act to amend sections twenty-five hundred seventy-five-c (2575-c), twenty-five hundred seventy five d (2575-d), twenty-five hundred seventy-five-e (2575e) and twenty-five hundred seventy-five-(2575-f), chapter sixteen-a (16-a) of the supplement to the code, relative to bringing into the State nursery 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 the same do pass.

JNO. T. BROOKS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Agriculture to whom was referred Senate file No. 207, a bill for an act to amend chapter sixteen-a (16-a) as it appears in the supplement to the code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JNO. T. BROOKS,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Courtright, 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. 238, a bill for an act to amend section six hundred forty-nine (649) and section six hundred fifty-one (651) of the code relative to the election of town clerk, and making the office appointive 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 the same do pass.

O. B. COURTRIGHT,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 225, a bill for an act to amend section six hundred and sixty (660) of the code, and to provide for securing to the city interest on public lands, and for bonds with security to protect against loss, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend section one (1) of the bill by inserting after the word "bank" in the fourth line thereof the words "or banks".

Also:

Amend section one (1) by inserting after the word "bank" in the seventh line thereof the words "or banks".

And when so amended the bill do pass.

O. B. COURTRIGHT,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your commiltee on Cities and Towns to whom was referred Senate file No. 144, a bill for an act to provide for the care and control of public cemeteries in certain cities, to create a board of cemetery commissioners, and to confer certain powers upon said 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 recommendation that the same be indefinitely postponed.

O. B. COURTRIGHT,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns to whom was referred Senate file No. 224, a bill for an act to amend the law as it appears in chapter thirty-six (36) of the Thirtieth General Assembly, relating to

park commissioners, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

O. B. COURTRIGHT,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns to whom was referred House file No. 208, a bill for an act relating to the assessment and taxation of property in special charter cities, and providing that section thirteen hundred five (1305) of the code shall not apply to 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 same do pass,

O. B. COURTRIGHT,
Chairman.

Ordered passed on file.

Also:

MR PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 152, a bill for an act to provide for the publication of municipal accounts, and to establish a uniform system of accounts, reports and audits in cities and towns, amending the law as it appears in sections seven hundred forty-one-a (741-a), seven hundred forty-one-b (741-b), and seven forty-one-c (741-c), of the supplement to the code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out the last two lines thereof the words "amending the law as it appears in section seven hundred forty-one-a (741-a), seven hundred forty-one-b (741-b) and seven hundred forty-one-c (741-c) of the supplement to the code", and by inserting a period in place of the comma after the word "towns."

Also:

That the bill be amended by striking out "Section 1" thereof, and for sections numbers 2, 3, 4, 5, 6, 7, 8, 9 and 10, insert numbers 1, 2 3, 4, 5, 6, 7, 8 and 9.

And when so amended the bill do pass.

O. B. COURTRIGHT,
Chairman.

Ordered passed on file.

Senator Elerick from the committee appointed to prepare and submit resolutions in memory of the late Daniel P. Stubbs of Fairfield, Jefferson county, Iowa, submitted the following report:

MR. PRESIDENT—Your committee appointed to prepare and submit resolutions in memory of the late Daniel P. Stubbs of Fairfield, Jefferson county, Iowa, beg leave to submit the following report:

WHEREAS, Hon. Daniel P. Stubbs, a member of this body in the regular session of the Tenth and Eleventh General Assemblies, departed this life at his home in Fairfield, Jefferson county, Iowa, on the 2nd day of May, A. D., 1905, therefore be it

Resolved, That the Senate has learned with sorrow and regret of the death of Senator Stubbs, and that in his death the state has lost an able and high-minded citizen and legislator, who was a staunch advocate of the interests of his fellow citizens.

As a lawyer, Senator Stubbs stood at the head of his profession, and achieved success; he came to Fairfield in 1857, and practiced law in partnership with the Hon. James F. Wilson, for five years; served as mayor of Fairfield two terms. In the Eleventh General Assembly he was chosen and served as president pro tem of the Senate.

Resolved, That the Senate join with his neighbors and friends in sorrow at his loss, and hereby tender to his family its sincere sympathy, in this their hour of sorrow and bereavement. Be it further

Resolved, That a copy of these resolutions be spread upon the records of the Senate, and that a properly engrossed copy authenticated by the President and Secretary, be sent to the members of the family.

JAMES ELERICK,
FRED N. SMITH,
S. H. HARPER.

Senator Elerick moved that the report be adopted.

Unanimously adopted by a rising vote.

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 concurrent resolution in which the concurrence of the Senate is asked.

HOUSE CONCURRENT RESOLUTION.

WHEREAS, In response to resolutions adopted by state legislature and the Inter-Parliamentary Union at its conference held in St. Louis in 1904, the President of these United States issued the original invitation to the governments signatory to the Hague Conventions, to attend a second conference at the Hague for the promotion of international justice and peace; and

WHEREAS, the Secretary of State in a circular letter addressed "to the Representatives of the United States accredited to the governments signatory to the acts of the Hague conference" communicated the resolution adopted by the Inter-Parlimentary Union, and,

WHEREAS, The delegates are to be appointed by the President to represent these United States at said Conference, therefore be it

Resolved by the House, the Senate concurring, That the Thirty-first General Assembly of Iowa hereby endorses the action of the President and the Congress of the United States in its approval of such Conference, and be it

Resolved, That the delegates or commissioners appointed to represent the United States at such coming Hague Conference be requested to use their influence to constitute the Hague Tribunal a Court of Authority for the settlement of differences between the governments represented in that tribunal.

Resolved, Further, that an engrossed copy of these resolutions be furnished the delegates appointed by the President and that the same be forwarded through Hon. Richard Bartholdt, member of Congress from Missouri and President of the Arbitration Group in Congress.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 36, a bill for an act providing that operators of mines shall furnish shot firers in mines where shooting and blasting is done (additional to chapter nine (9), title twelve (12) of the supplement of the code), and to repeal section twenty-four hundred ninety-five-b (2495-b), of the supplement of the code.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 217, a bill, for an act to repeal the law as it appears in chapter one hundred thirty-six (136) of the acts of the Thirtieth General Assembly and enact in lieu thereof the following relative to the preservation of life and protection of property and to require the construction of fire escapes on certain buildings and enclosures now constructed or hereafter to be erected, providing the manner of constructing the same and imposing penalties for the violation thereof, additional to chapter ten (10) of title twenty four (24) of the code relative to offenses against the public health.

C. R. BENEDICT,
Chief Clerk

THIRD READING OF BILLS.

The time having arrived, Senate file No. 12, a bill for an act prohibiting public officers, political committees or delegates to political conventions from asking, accepting or using a free pass, frank or privilege withheld from any other person for the traveling accommodation or transportation of any person or property, or the transmission of any message or communication and prohibiting any person, association, corporation or co-partner-

ship from giving or offering to give the same to any public officer, political committee or delegates to political conventions, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Hughes moved the adoption of the following committee amendments:

Strike out all after the enacting clause, and insert as follows:

Section 1. It shall be unlawful for any steam railway or interurban railway company doing business within the state, or any officer, agent or representative thereof, to issue, give or offer to any city, county, district or state officer, including judges and members of the general assembly, or to any delegate to a political convention to use in attending such convention or return therefrom, or to any member of any political committee or employee thereof or to any candidate for a city, county, district or state office, or to jurors in state or federal courts, any free pass, ticket or other privilege at rates less than charged the public.

Sec. 2. No city, county, district or state officer, and no delegate to a county, district, or state political convention, and no candidate for a county, district or state office, and no member of any political committee or any employee thereof, and no juror in state or federal courts, shall request or use any such free pass, ticket or privilege, sold or conferred at a less rate than the rate charged the public, over any steam railroad or interurban railroad.

Sec. 3. The holding of a notarial commission or a public office that pays no fees, or salary, or a position as a member of the faculty or an officer of a state educational institution, or acting as an officer or director of the Iowa State Board of Agriculture, or a membership in the National Guard, or a membership in the fire department of any city, or the use of transportation in accompaning live stock or perishable freight, or the use of the return privilege, or riding or accepting transportation upon a special train, run for the public safety, health or welfare, shall not operate to place any person within the inhibitions of this act.

Sec. 4. This act shall not apply to bona fide employees of steam railway, or interurban railway companies, when traveling upon the lines of the railways with which they are employed, or from using what is commonly known as "exchange transportation", nor shall it apply to the members of the railway commission, or its secretary when traveling upon official duties. Nor shall this act prohibit any owner or employee of a newspaper from using transportation issued in payment for advertising published in such newspapers.

Sec. 5. Nothing in this act contained shall be construed to prohibit the granting of excursion or party rates by any steam railroad or interurban railroad company to any class of persons whomsoever.

Sec. 6. Any person convicted of a violation of any of the provisions of this act shall be punished by imprisonment in the county jail not exceeding six months, or by a fine not exceeding five hundred dollars ($500.00).

Adopted.

Senator Hughes offered the following amendment and moved its adoption:

Amend the bill by adding as section 6 the following:

Section 6. No person and no agent or officer of any corporation within the purview of this act shall be privileged from testifying in relation to anything herein prohibited; and no person having so testified shall be liable to any prosecution or punishment for any offense concerning which he was required to give his testimony or produce any documentary evidence.

And renumber section 6 as section 7.

Adopted.

Senator Gillilland offered the following amendment and moved its adoption:

Amend the bill by striking out section four and by the renumbering of the succeeding sections to correspond to this amendment.

Senator Turner offered the following substitute for the amendment offered by Senator Gillilland and moved its adoption:

Amend section four (4) of the bill by inserting after the word "transportation", in line four (4) of section four (4) the following:

"Except when such employees are candidates for or incumbents of county, district or state offices or delegates to political conventions."

Senator Gillilland accepted the substitute offered by Senator Turner for the amendment.

Senator Hughes asked unamimous consent that the time of adjournment be extended until Senator Saunders completed his remarks.

Consent granted.

Senator Lewis asked unanimous consent to offer an amendment and have it printed in the Journal and filed.

Granted.

AMENDMENT BY SENATOR LEWIS.

Section 7. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published at Des Moines, Iowa.

The President declared the Senate adjourned.

House and Senate met in joint session for the memorial program commemorative of the late D. B. Henderson.

The following program was carried out:

Call to Order.....Lieutenant-Governor Herriott
Invocation.....Dr. A. L. Frisbie
Music.....Hylo Quartette
Memorial and Resolutions commemorative of the life of David Bremner Henderson.....Speaker Clarke
Music.....Hylo Quartette
Address.....Senator Dunham
Music.....Hylo Quartette
Address.....Representative Kendall
Music.....Hylo Quartette
Address.....Representative Frudden
Benediction.....Dr. A. L. Frisbie

Wise of Black Hawk offered the following resolution and moved that the rule be suspended and the resolution be adopted.

Resolved by the Senate and House of Representatives of the Thirty-first General Assembly in joint convention assembled: That the addresses, resolutions, and program of these memorial services, also the eulogy delivered by Hon. G. D. Perkins at Dubuque, be printed in neat pamphlet form, embellished with a cut of ex-Speaker D. B. Henderson of the National House of Representatives; that five thousand copies of same be printed by the State Printer, two thousand copies to be presented to Mrs. D. B. Henderson, and fifteen copies to each member of the Thirty-first General Assembly. Also that the same be printed in both the Senate and House Journals at close of this session.

Motion prevailed and the resolution was adopted.

Lieut. Gov. Herriott then declared the joint covention dissolved and the Senate retired.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, March 9, 1906.

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. Elinor E. Gordon of Des Moines, Iowa.

On request of Senator Winne leave of absence was granted Senator Maytag for the day.

PETITIONS AND MEMORIALS.

Senator Spaulding presented petition of citizens of Floyd county, Iowa, urging the passage of the Binding Twine bill.

Referred to committee on Manufacturing..

Senator Spaulding presented petition of Floyd County Farmers' Institute, in session at Charles City, protesting against the proposed change of plan of control of the State Agricultural College at Ames.

Referred to committee on Appropriations.

Senator Hopkins presented petition of citizens of Stuart, Iowa, urging the passage of the bill prohibiting the playing of base ball on Sunday.

Referred to committee on Judiciary.

Senator Wilson of Clinton presented petition of citizens of Lost Nation, Iowa, protesting against the passage of the State Primary bill.

Referred to committee on Elections.

Senator Young of Washington presented petition of McFarland Post No. 20, located at Mt. Pleasant, Iowa, protesting against the repeal of the Soldiers' Preference law.

Referred to committee on Military.

Senator Dunham presented petition of members of the Delaware County Swine Sale Association requesting an appropriation for the purpose of providing better accomodations for the swine exhibited at the Iowa State Fair.

Referred to committee on Appropriations.

Senator Jackson presented petition of residents of Woodbury county, Iowa, urging the passage of the bill providing for the repeal of the tax on Mutual Insurance societies.

Referred to committee on Insurance.

Senator Jackson presented petition of citizens of Iowa requesting the passage of the Military bill now pending, and an increase in the appropriation for the Iowa National Guard to $100,000.

Referred to committee on Military.

Senator Hartshorn presented petition of business men of Clarion, Iowa, requesting the passage of the proposed Exemption bill.

Referred to committee on Ways and Means.

Senator Wilson of Fayette, presented petition of citizens of Waukon, Allamakee county, and members of the Iowa National Guard favoring the passage of the Military bill and the increase in appropriation for the Iowa National Guard to $100,000 per annum.

Referred to committee on Military.

Senator Dunham moved that when the Senate adjourn Saturday morning it be until 2 o'clock P. M.

Carried.

Senator Young of Calhoun moved that when the Senate adjourn at noon today it be until 1:30 o'clock P. M.

Carried.

Senator Gale moved that 300 additional copies of Senate file No. 151 be printed.

Carried.

INTRODUCTION OF BILLS.

By Senator Garst, Senate file No. 271, a bill for an act to provide for the holding of district farmers' institutes additional to title nine (9), chapter three (3) of the code.

Read first and second time and referred to committee on Agriculture.

By Senator Winne, Senate file No. 272, a bill for an act to amend section twenty-two hundred seventy (2270) of the code, relating to settlement of insane patients.

Read first and second time and referred to committee on Ways and Means.

By Senator Winne, Senate file No. 273, a bill for an act to repeal section twenty-seven hundred twenty-seven-a-twenty-eight (2727-a-28) supplement to the code, relating to non-resident insane, and to enact substitute therefor.

Read first and second time and referred to committee on Ways and Means.

By Senator Gillilland, Senate file No. 274, a bill for an act to amend chapter five (5), of title twenty-four (24) of the code relating to larceny.

Read first and second time and referred to committee on Judiciary.

By Senator Newberry, Senate file No. 275, a bill for an act making appropriation for the equipment of a laboratory for the office of the Food and Dairy Commissioner.

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

By Senator Dunham, for the committee on Suppression of Intemperance, Senate file No. 276, a bill for an act to amend section twenty-four hundred fifty (2450) of the code relating to the sale of intoxicating liquors under the mulct law.

Read first and second time and placed on the Calendar.

Senator Lambert offered the following concurrent resolutions:

CONCURRENT RESOLUTION.

Resolved by the Senate, the House concurring: That the State Printer be directed to print, for the use of the House and Senate, the officers thereof, and other purposes, 2,500 copies of the Rules of the Thirty-first General Assembly, and that the State Binder be directed to bind 1,000 copies thereof in paper covers, and to use the remaining 1,500 copies in the bound volumes of the 1906 Iowa Documents.

Senator Lambert asked unanimous consent to take up the concurrent resolution at this time.

Consent granted.

Senator Lambert moved the adoption of the concurrent resolution.

Adopted.

HOUSE MESSAGES CONSIDERED.

House concurrent resolution endorsing the action of the President and Congress of the United States in its approval of a second conference at the Hague for the promotion of international justice and peace.

The concurrent resolution was read and referred to committee on Federal Relations.

House file No. 217, a bill for an act to repeal the law as it appears in chapter one hundred thirty-six (136) of the acts of the Thirtieth General Assembly and enact in lieu thereof the following relative to the preservation of life and protection of property and to require the construction of fire escapes on certain buildings and enclosures now constructed or hereafter to be erected, providing the manner of constructing the same and imposing penalties for the violations thereof, additional to chapter ten (10) of title twenty-four (24) of the code relative to offenses against the public health.

Read first and second time and referred to committee on Judiciary.

House file No. 36, a bill for an act providing that operators of of mines shall furnish shot firers in mines where shooting and blasting is done (additional to chapter nine (9), title twelve (12) of the supplement to the code), and to repeal section twenty-four hundred ninety-five-b (2495-b), of the supplement of the code.

Read first and second time and referred to committee on Mines and Mining.

REPORTS OF COMMITTEES.

Senator Jackson, 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. 35, a bill for an act to amend section fifty-seven hundred sixteen (5716) of the code, and to provide for the compensation of the Chaplains of the Penetentiaries, beg leave to report that 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.

JOHN H. JACKSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Compensation of Public Officers, to whom was referred Senate file No. 191, a bill for an act to amend section fifteen hundred thirty-eight (1538) of the code, relating to compensation of trustees and township clerks, beg leave to report that they have had the same under consideration and have instucted me to report the same back to the Senate with the recommendation that the same do pass.

JOHN H. JACKSON.
Chairman.

Ordered passed on file.

Senator Eckles, from the committee on Claims, submitted the following report:

MR. PRESIDENT—Your committee on Claims, to whom was referred Senate file No. 169, a bill for an act appropriating the sum of five thousand dollars ($5000) to be paid to Lena Ness, guardian of Andrew T. Ness, for the use and benefit of Andrew T. Ness, in settlement of all claims against the State of Iowa by reason of the injury to Andrew T. Ness and damages resulting therefrom in the loss of a leg and for the pain and suffering resulting from said injury, said injury occurring while the said Andrew T. Ness was detained in the State 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 same be amended by striking out the words "five thousand" and figures "5000.00" in the first line of the title of the original bill and substituting in lieu thereof the words "one thousand" and figures "1000.00".

Amend section 1 by striking out the words "five thousand" in the second line of said section and substituting in lieu thereof the words "one thousand". Also by striking out the figures "5000.00" in the third line of said section and substituting in lieu thereof the figures "1000.00".

Amend section 3 by striking out the words "five thousand" in the third line of said section and substituting in lieu thereof the words "one thousand". Also by striking out the figures "5000.00" in the fourth line of said section and substituting in lieu thereof the figures "1000.00"

Aud when so amended the bill do pass and that the same be re-referred to the committee on Appropriations.

CHAS. ECKLES
Chairman.

Adopted and referred to committee on Appropriations.

Senator Warren, from the committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your committee on Mines and Mining, to whom was referred House file No. 190, a bill for an act to amend sections nineteen hundred sixth-eight (1968), nineteen hundred sixty-nine (1969), nineteen hundred seventy-one (1971), nineteen hundred seventy-two (1972) of the code of Iowa, relative to the draining of lead and zinc mines, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. L. WARREN,

Chairman.

Adopted.

Senator Young of Calhoun, from the committee appointed to prepare suitable resolutions of respect to the memory of the late Hon. J. D. McVay, of Calhoun county, submitted the following report and moved its adoption:

MR. PRESIDENT—Your committee appointed to prepare suitable resolutions of respect to the memory of the Hon. J. D. McVay, late of Calhoun county, beg leave to report as follows:

WHEREAS, The Hon. J. D. McVay, an honored member of the Senate of the Twenty-second and Twenty-third General Assemblies of Iowa, representing Calhoun and Webster counties, and also an honored member of the House of the Twentieth General Assembly of Iowa, departed this life April 4, 1904.

J. D. McVay was born February 3, 1844, in Fulton county, Illinois. When a small boy his parents moved to Keokuk county, Iowa. At the out break of the Civil war, he early answered the call for volunteers, entering the 36th Infantry ex-Governor, Drake's regiment. He was taken prisoner at "Mark's Mills" and was taken from there to Camp Ford, Tyler, Texas. Here he displayed the qualities that made him beloved by all who knew him. His captain, who was captured at the same time, was seriously ill and in order to save his life it was necessary that he be paroled at once. Senator McVay's name coming before his captain's for parole, exchanged names and allowed him the opportunity of escaping from death, while he waited and took his chances. He was mustered out after a service of three years and one month. He moved to Calhoun county in 1872 and resided there until his death.

Resolved, That in the death of this generous-hearted, patriotic soldier, citizen and legislator that the State has lost a good, upright citizen, the community in which he lived one of its most conscientious and energetic members, and the highest type of a man, his family a kind and loving husband and father.

Resolved, That we extend to his family and those nearest him, our sincere sympathy in their sorrow and afflictions. That the Secretary of the Senate is hereby instructed to transmit an engrossed copy of these resolutions

to the bereaved family, and to enter the same upon the Journal of the Senate.

YOUNG of Calhoun,
D. H. LYONS,
S. H. HARPER,
Committee.

Adopted unanimously by a rising vote.

Senator Young of Calhoun spoke as follows:

We would exhibit a want of appreciation of a good neighbor, a friend, a superior citizen of more than a quarter of a century of acquaintance if we did not make a few remarks on the life and character of Senator McVay, to whom the resolutions just read refer.

Senator McVay was born in Fulton county, Illinois, in 1844. When but a boy his father, with the family, moved to this state in Lee county, near Keokuk.

In common with other children of pioneer families, the Senator was obliged, as soon as age and strength would permit, to assist in the management of the household to supply the necessities of life. In those strenuous days, idleness was no part of the curriculum of childhood. As a result, self-reliance and independence became a part of the child's character.

The Senator's opportunities for an education were confined to the winter months, when his services were not required as a wage-earner on the farm. His home teachings were such that the foundations were laid broad and deep for a good citizen in every department of life, in civil, military and above all in the home life.

When but a youth, yet in his minority, he enlisted in the service of his country and became a member of the Thirty-sixth Regiment of Iowa Volunteers and was assigned to Company B as a private. Our fellow Senator from Wapello marched under the same regimental flag and in the same company. That flag now rests in one of the niches of the Capitol on the floor beneath us, and is invoiced among the most sacred and valuable property of the State. Senator McVay is dead, but the living for years will look upon that flag and be reminded of the great sacrifices that he and others made, that we might enjoy a united and prosperous country. Senator McVay was with the regiment in all the engagements in which it participated. In 1864 the regiment was sent to assist General Banks in the Red River campaign. Before reaching Banks they learned of his defeat.

The regiment was ordered to guard a retreating supply train. The pursuing rebel army overtook them and after a number of struggles against a brave and much superior force, they were obliged to surrender and were marched rapidly, without rest or food for fifty miles to Tyler, Texas, where they were confined in a rebel prison. While here the Senator showed the bigness of his manhood. An order came one day for the parole of a number of prisoners. The Senator's name was among the happy number, but at this time, his Captain was sick and under prison surroundings could live but a short time. The Senator permitted his Captain to take his name and return to his home, and was nursed back to health, and he remained in prison. When one considers twenty-five to thirty per cent of our boys died in those prisons. Insufficient shelter and food was furnished them.

They died from starvation and brutal treatment in those recruiting stations of death. Take this into consideration and one finds it no small effort to measure the depth and breadth of one's manhood who makes such a sacrifice. He obeyed literally Paul's injunction, "Let no man seek his own, but his neighbor's good." When a fellowman under such a severe test proves himself pure gold, there is no tribute of praise too sacred nor holy to be offered at such a time as this. The Senator remained in prison until the close of the war, when he returned home and in a few years commenced the study of his profession which was to be his life work, that of a physician.

He graduated from the college of medicine at Keokuk in 1873; the previous year he moved to Lake City in Calhoun county. His skill as a physician was such that for many miles around his home he labored for thirty-two years. For a number of years he was a division surgeon of the North-Western railroad. Notwithstanding his busy life, in his professional duties, he always took time to attend the caucus, the convention and election. He regarded that just as important as to take the musket and march to his country's defense when it was trembling for an existence. He was also a patriot in civil life, and it requires just as much bravery and heroism to be so as it does to face an enemy's gun or to offer your health and your life a sacrifice for a friend.

In 1883 the Senator was elected as a member of the lower house of the General Assembly and in 1887 to the Senate. He was an active member of both houses and did conscientious and honest service to the State. No act of his life, while in public life, lowered him in the estimation of his constituents. He was the choice of his country as a candidate to take the place of Senator J. P. Dolliver in the lower house of Congress, to represent the Tenth Congressional District. His aspirations in this direction were defeated in the convention.

At his home he always stood for the highest standand of morals and good citizenship. No citizen was ever held in higher estimation for so many years by his neighbors than Senator McVay. His family consisted of a wife and daughter, both of whom are still living. His home life was ideal; kindness, love and happiness were there supreme. It is such homes that are the safety and permanency of our nation. The Senator was a good soldier and a good citizen, a good home man, as such as he was, one of the most valuable asset a country, state or nation can have. 'Tis often said in speaking of the departed, "He was born poor, and died rich," but we can say something greater of Senator McVay, "He was born honest, and he died honest."

Senator Harper spoke as follows:

I want to add just a word to what Senator Young has said. I remember well more than forty years ago when this young boy, he was but eighteen years old, came to the city of Ottumwa and offered his services to his country. He joined the same company to which I belonged. He was the picture of health, standing more than six feet high, and was well developed. He soon became a favorite of the company, as it was soon learned that Cy McVay, as he was known by the company, was a big-hearted, broad minded young man. He was ever ready for duty, ever ready for anything that was in the line of duty, and never shirked. He did not belong to the

"Quinine Brigade." He often took the place of others who became sick when detailed to go on the picket post or on a raid. He never shirked, and as was indicated by the Senator from Calhoun, he proved his greatness when he permitted his Captain to take his place and he remained in that rebel prison pen. McVay was a hero in his sphere, just as much as Grant, Sherman and Logan were in their spheres. He was one of the million of men who went forth to battle for his country and made it possible that we could have the country, the nation that we have to day. Yes, McVay was a hero. He was a poor boy, he had bnt little education, his people were of the poorer class, and he had to make his own way in the world, and how well he did it is illustrated by his reaching an honored place on the floor of this Senate. There are too few men like Senator McVay. He was one of the humble heroes of the Civil war.

Senator Bleakly moved that the remarks made by Senator Young of Calhoun and by Senator Harper be printed in the Journal.

Carried.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

That the addresses, resolutions and program of the services held by the Joint Assembly on March 8, 1906, in memory of the late ex-Speaker of the National House of Representatives, D. B. Henderson, together with the eulogy delivered at his funeral by the Hon. Geo. D. Perkins, be printed in neat pamphlet form, embellished with a cut of the late Speaker.

That 5000 copies of same be printed by the State Printer, 2000 copies of which shall be presented to MRS. D. B. Henderson, and fifteen copies of same to each member of the Thirty-first General Assembly.

Also, that the same be printed in the Journals of the Senate and House of the last day of this session.

C. R. BENEDICT,
Chief Clerk.

The Senate resumed consideration of Senate file No. 12, which was under consideration at adjournment yesterday.

Senator Lewis asked unanimous consent to withdraw the amendment offered by him yesterday.

Consent granted.

Senator Courtright offered the following substitute for amendment offered by Senator Gillilland, and moved its adoption:

Strike out of section four (4), all after the word "apply" in line one (1), up to and including the word "apply" in line four (4), and strike out all after the word "duties" in line five (5), of said section.

Senator Elerick moved the previous question on the substitute for the amendment and on the amendment offered by Senator Gillilland.

Carried.

On the question, Shall the substitute for the amendment be adopted?

The substitute for the amendment was adopted.

On the question, Shall the amendment offered by Senator Gillilland be adopted?

The amendment was adopted.

Senator Elerick moved the previous question on the bill.

Carried.

Senator Hughes moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—47.

The nays were:

None.

Absent or not voting:

Crawford, Maytag, Taylor—3.

Senator Hughes offered the following substitute for the title of the bill and moved its adoption:

A BILL for an act making it unlawful for any steam railway or interuban railway doing business within the state, or any officer, agent or representative thereof, to issue, give or offer to any city, county, district or state officer, including judges and members of the General Assembly, or to any delegate to a political convention to use in attending such convention

or return therefrom,or to any member of any political committee or employee thereof, or to any candidate for a city, county, district or state office, or to jurors or in state or federal courts, any free pass, ticket or other privilege at rates less than charged the public.

And prohibiting any city, county, district or state officer, and any delegate to a county, district or state political convention, and any candidate for a county, district or state office, and any member of any political committee or any employee thereof, and any juror in state or federal courts, to request or use any such free pass, ticket or privilege, sold or conferred at a less rate than the rate charged the public, over any steam railroad or interurban railroad, and providing a penalty therefor.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended agreed to.

INTRODUCTION OF BILLS.

By Senator Hartshorn, Senate file No. 277, a bill for an act to appropriate the sum of one hundred dollars ($100) to pay E. S. Frank for money advanced by him to the State of Iowa as rent for certain lake beds situated in Wright and Hancock counties, Iowa.

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

SENATE RESUMED THIRD READING OF BILLS.

Senate file No. 95, a bill for an act entitled "an act to provide for the registration of trained or graduate nurses and for the issuance of certificates thereto, and to make it a misdemeanor for any person to advertise or profess to be trained for graduate nurses without having first been registered as provided herein," with report of committee recommending a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Young of Washington moved that the committee substitute be substituted for the original bill.

Carried.

President pro tem Smith was called to the chair at 10:48 A. M.

Senator Dunham offered the following amendment and moved ts adoption:

Amend by adding after the word "examination" appearing in seventh line of section three (3) the words "or presenting a certificate of graduation from any hospital training school of recognized standing in this state."

The amendment was lost.

President Herriott resumed the chair at 11:20 A. M.

Senator Courtright offered the following amendment and moved its adoption:

Strike out sections one (1) and two (2) of the bill and all of that part of section three (3) down to and including the word "nursing" in the sixth line of the substitute and insert the following in lieu thereof:

Section 1. The State Board of Medical Examiners is hereby made ex-officio State Board of Examiners of graduate or trained nurses.

Sec. 2. Said board shall formulate rules and regulations fixing the time and place of holding examination and determine the courses and subjects upon which they shall be examined and establish the degree of competency and experience which an applicant for examination shall possess; and shall be of such a character as to determine the fitness of the applicant to practice professional nursing.

On the question, Shall the amendment be adopted?

A roll call was demanded.

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Crossley, Dunham, Eckles, Elerick, Gale, Gillilland, Hartshorn, Hasselquist, Hopkins, Jamison, Jones, Kimmel, Kinne, Lewis, Lyons, Molsberry, Newberry, Stookey, Stuckslager, Taylor, Wade—25.

The nays were:

Bruce, Dowell, Ericson, Hayward, Hughes, Jackson, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Turner, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun, Young of Washington—18.

Absent or not voting:

Garst, Harper, Hogue, Lambert, Maytag, Saunders, Wilson of Clinton—7.

So the amendment was adopted.

Senator Young of Washington moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed.

The Journal of March 7th was taken up, corrected and approved.

The Journal of yesterday was taken up, corrected and approved.

Senator Lewis offered the following concurrent resolutions:

Resolved by the Senate, the House concurring: That the Thirty-first General Assembly do adjourn, *sine die*, on Wednesday the fourth day of April, 1906, at 12 o'clock noon.

Laid over.

The time having arrived, the Senate stood adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 o'clock P. M., President Herriott presiding.

The Senate resumed consideration of Senate file No. 95, which was under consideration at adjournment this morning.

The bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Gillilland, Harper, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—44.

The nays were:

Hasselquist—1.

Absent or not voting:

Bruce, Garst, Hartshorn, Lambert, Maytag—5.

Senator Young of Washington moved to amend the title so it shall read:

A BILL for an act providing for the examination and registration of Graduate Nurses and the issuance of certificates thereto and providing punishment for persons assuming to be Graduate or Registered Nurses without having lawful authority so to do.

Adopted.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended agreed to.

House file No. 227, a bill for an act to amend chapter sixty-eight (68) of the laws of the Thirtieth General Assembly relative to the establishment of levees, ditches, drains and water courses, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent the bill was passed and its place retained on the Calendar.

INTRODUCTION OF BILLS.

By Senator Hayward, Senate file No. 278, a bill for an act to amend the law as it appears in section eleven hundred six (1106), of the supplement to the code, in relation to elections.

Read first and second time and referred to committee on Judiciary.

SENATE RESUMED THIRD READING OF BILLS.

Senate file No. 117, a bill for an act amending section eighteen hundred seventy-one (1871) of the code, relating to the examination of state and savings banks, with report of committee recommending amendments and passage, was taken up, considered and the report of the committee adopted.

Senator Brooks moved the adoption of the following committee amendments:

Amend by striking out of the printed bill the words "last half" in line four (4) and substituting in lieu thereof the words "month;" and by striking out the words "last half" in line five (5) and substituting the word "month" in lieu thereof.

Adopted.

Senator Brooks moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Washington—44.

The nays were:

None.

Absent or not voting:

Elerick, Gale, Maytag, Stuckslager, Taylor, Young of Calhoun—6.

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

House file No. 227, a bill for an act to amend chapter sixty-eight (68) of the laws of the Thirtieth General Assembly relative to the establishment of levees, ditches, drains and water courses was taken up and considered.

Senator Courtright moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Washington—47.

The nays were:

None.

Absent or not voting:

Maytag, Turner, Young of Calhoun—3.

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

Senate file No. 244, a bill for an act to legalize acknowledgments of intruments in writing heretofore taken by Notaries Public, with report of committee recommending passage, was taken up, considered, and the report of the committee, adopted.

Senator Wilson of Fayette moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, Lewis, Molsberry, Newberry,

Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Washington—42.

The nays were:

None.

Absent or not voting:

Elerick, Gale, Jamison, Lambert, Lyons, Maytag, Turner, Young of Calhoun—8.

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

Senate file No. 238, a bill for an act to amend section six hundred forty-nine (649) and section six hundred fifty one (651) of the code, relative to the election of town clerk, and making the office appointive in cities and towns with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Kimmel, Kinne, Lewis Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Washington—40.

The nays were:

None.

Absent or not voting:

Gale, Jamison, Jones, Lambert, Lyons, Maytag, Molsberry, Whipple, Young of Lee, Young of Washington—10.

So the bill having received a constitutional majority was declared to have passed the Senate and its title 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 bill in which the concurrence of the Senate is asked:

House file No. 328, a bill for an act to repeal section one hundred twenty-three (123) of the code as the same is found in the supplement to the code, and to enact a substitute therefor, relating to Biennial Fiscal Term.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 307, a bill for an act to require life preservers and life floats to be carried on certain boats and barges used to carry passengers for hire.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. SPEAKER—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. 187, a bill for an act to repeal chapter thirty-one (31) of the laws of the Thirtieth General Assembly and to enact a substitute therfor relating to sewers in cities and in incorporated towns.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 329, a bill for an act to amend section one hundred twenty-two (122) of the code, relating to biennial reports of officers.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate file No. 55, a bill for an act to amend section one (1), chapter ninety-four (94), laws of the Thirtieth General Assembly relative to taking fish from the lakes of the state.

C. R. BENEDICT,
Chief Clerk

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 House was asked:

Substitute for Senate file No. 27, a bill for an act to amend the law as it appears in sections twenty-seven hundred thirty-nine (2739), twenty-seven hundred sixty-two (2762), twenty-seven hundred sixty-four (2764), twenty-seven hundred sixty-five (2765), twenty-seven hundred sixty-nine (2769), twenty-seven hundred seventy-three (2773), twenty-seven hundred eighty-five (2785), twenty-eight hundred (2800), twenty-eight hundred one (2801) and twenty-eight hundred two (2802) of the code and the law as it appears in sections twenty-seven hundred fifty-four (2754) and twenty-eight hundred six (2806) of the supplement to the code, and to repeal sections twenty-seven hundred fifty-seven (2757) and twenty-seven hundred ninety-three (2793) of the code and enact substitute therefor relative to the school year, organization and meetings of school boards, reports of school officers and the changing of boundaries of school corporation.

C. R. BENEDICT,
Chief Clerk.

House file No. 58, a bill for an act to amend section eighteen hundred fifty (1850) of the code in relation to the investment of funds of savings banks, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Kinne moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dunham, Eckles, Elerick, Ericson, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Washington—43.

The nays were:

None.

Absent or not voting:

Dowell, Garst, Hayward, Hogue, Hopkins, Maytag, Young of Calhoun—7.

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

House file No. 250, a bill for an act to amend section fifteen (15) of chapter eighty (80) acts of the Thirtieth General Assembly relating to the State Hospital for Inebriates, with report o committee reommending passage was taken up, considered, an the report of the committee adopted.

Senator Warren offered the following amendment and move its adoption:

Add as section 2 to said bill the following:

Section 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in the city of Des Moines, Iowa.

Adopted.

Senator Warren moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Wade, Warren, Whipple, Wilson of Fayette Wilson of Clinton, Winne, Young of Lee, Young of Calhoun Young of Washington—42.

The nays were:

None.

Absent or not voting:

Crossley, Hayward, Hogue. Hopkins, Jamison, Maytag Stuckslager, Turner—8.

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

Senator Newberry moved that the Senate do now adjourn.

Carried.

Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, March 10, 1906.

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. E. E. Evans of Spencer, Iowa.

On request of Senator Wade leave of absence was granted Senator Kimmel for the day.

On request of Senator Young of Washington leave of absence was granted Senator Smith of Mitchell for the day.

On request of Senator Bleakly leave of absence was granted Senator Jackson for the day.

On request of Senator Whipple leave of absence was granted Senator Stuckslager for the day.

INTRODUCTION OF BILLS.

By Senator Harper, Senate file No. 279, a bill for an act additional to and amendatory of chapter one (1) of title eleven (11) of the code, and the law as it appears in chapter one (1) title eleven (11) of the supplement to the code and chapter seventy-seven (77) of the acts of the Thirtieth General Assembly, relative to the State Military force and Iowa National Guard.

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

By Senator Ericson, Senate file No. 280, a bill for an act relating to proceedings in criminal offences on information without the intervention of the Grand Jury; additional to chapter one (1) title twenty-five (25) of the code.

Read first and second time and referred to committee on Judiciary.

By Senator Young of Calhoun, Senate file No. 281, a bill for an act to legalize the acts and resolutions passed by the Board of Supervisors of Calhoun County, Iowa, allowing certain persons appointed to collect delinquent personal tax, a commission in addition to the five per cent provided by statute.

Read first and second time and referred to committee on Judiciary.

By Senator Warren, Senate file No. 282, a bill for an act for the relief of the grantees of John S. Bussey, and for the purpose of having a patent issue in the name of Samuel Kingery, for a certain tract of land.

Read first and second time and referred to committee on Judiciary.

Senator Harper asked unanimous consent that 300 additional copies of Senate file No. 279, be ordered printed.

Consent granted.

Senator Maytag offered the following concurrent resolution and moved its adoption:

CONCURRENT RESOLUTION.

Resolved by the Senate, the House concurring, That the State Printer be directed to print one hundred additional House Calendars for use in the Senate; also one hundred and fifty additional Senate Calendars for use in the House.

Adopted.

The following communication was received and read:

DES MOINES.

HON. JOHN HERRIOTT, *President Senate.*

Please announce to the members of the Senate that if they will furnish me with the names of twenty-five (25) persons, other than county officials and newspapers, to whom they wish to have the census report of 1905 sent that I will send the same at once.

Respectfully,

W. B. MARTIN,
Secretary of State.

Ordered passed on file.

HOUSE MESSAGES CONSIDERED.

House file No. 328, a bill for an act to repeal section one hundred twenty-three (123), of the code as the same is found in the supplement to the code, and to enact a substitute therefor, relating to biennial fiscal term.

Read first and second time and referred to committee on Tenure of Office.

House file No. 307, a bill for an act to require Life Preservers and Life Floats to be carried by certain boats and barges used to carry passengers for hire.

Read first and second time and referred to committee on Railroads.

House file 187, a bill for an act to repeal chapter thirty-one (31) of the laws of the Thirtieth General Assembly and to enact a substitute therefor relating to sewers in cities and in incorporated towns.

Read first and second time and referred to committee on Judiciary.

House file No. 329, a bill for an act to amend section one hundred twenty-two (122) of the code, relating to biennial reports of officers.

Read first and second time and referred to committee on Tenure of Office.

House indefinitely postponed Senate file No. 55, a bill for an act to amend section (1) chapter (94) laws of the Thirtieth General Assembly relative to taking fish from the lakes of the State.

Ordered passed on file.

Senate file No. 27, a bill for an act to amend the law as it appears in sections twenty-seven hundred thirty-nine (2739) twenty-seven hundred sixty-two (2762) twenty-seven hundred sixty-four (2764) twenty-seven hundred sixty-five (2765) twenty-seven hundred sixiy-nine (2769) twenty-seven hundred seventy-three (2773) twenty-seven hundred eighty-five (2785) twenty-eight hundred (2800) twenty-eight hundred one (2801) and twenty-eight hundred two (2802) of the code, and the law as it appears in sections twenty-seven hundred fifty-four (2754) and twenty-eight hundred six (2806) of the supplement to the code, and to repeal sections twenty-seven hundred fifty-nine (2759) and twenty-seven hundred ninety-three (2793) of the code and enact substitutes therefor, relative to the school year, organization and meetings of school boards, reports of school officers and the changing of boundaries of school corporations.

Ordered passed on file.

House concurrent resolution relative to printing in pamphlet form proceedings of the joint session of the General Assembly held in honor of the late Hon. David Bremner Henderson.

Senator Harper asked unanimous consent to take up the concurrent resolution at this time.

Consent granted.

Senator Harper moved that the Senate concur in the concurrent resolution.

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:

House file No. 206, a bill for an act to indemnify L. H. Fenton for personal injury sustained by him while employed at the State Hospital for the insane at Mt. Pleasant, Ia.

C. R. BENEDICT,
Chief Clerk.

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.

House file No. 332, a bill for an act to amend section ten hundred ninety-three (1093) of the code, relating to election boards.

C. R. BENEDICT,
Chief Clerk

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:

House file No. 331, a bill for an act to amend section one hundred forty-six (146) of the code, relating to the term of office of the Custodian of Public Buildings.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Concurrent resolution relative to printing rules of the Thirty-first General Assembly.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 146, a bill for an act appropriating the sum of eight thousand sixty-two and thirty-eight one-hundredths dollars ($8062.38) to be paid to H. W. Tapley and Philip Morgan in settlement of all claims against the State of Iowa by reason of the loss of valuable coins abstracted from the Historical building by an employee of the State.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file 154, a bill for an act to amend section forty hundred twenty-five (4025) of the code, in relation to notice to defendant in sales under execution.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file 167, a bill for an act making appropiation for the erection of a monument in Elm Grove Cemetery, Washington, Iowa, over the grave of Timothy Brown, a soldier of the Revlutionary War.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 43, a bill for an act to amend sections eleven hundred nine (1109), ten hundred twenty (1020), eleven hundred twenty-one (1121) of the code and to amend the law as it appears in section eleven hundred six (1106) and eleven hundred nineteen (1119) of the supplement to the code relating to Elections, form of, and manner of marking the ballots.

C. R. BENEDICT
Chief Clerk.

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:

House file No. 229, a bill for an act to amend section twenty-four hundred thirty-nine (2439) of the code, relative to the collection of the mulct tax.

C. R. BENEDICT,
Chief Clerk.

REPORTS OF COMMITTEES.

Senator Harper, from the committee on Military, submitted the following report:

MR. PRESIDENT—Your committee on Military to whom was referred Senate file No. 249, a bill for an act relating to the rules for admission to the Soldiers' Home, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by the adoption of the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 249.

A BILL for an act relating to the rules for admission to the Soldiers' Home.

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

Section 1. That section twenty-six hundred six (2606) of the code be amended by inserting between the numerals "1835" and the word "under" in the third line thereof, the following: provided that the widow of an honorable discharged Union soldier, sailor or marine, who prior to the year 1885 married such honorably discharged Union soldier, sailor, or marine, and who subsequent to the year 1885 married an honorably discharged soldier, sailor or marine, shall be elligble to admission to the Home.

Sec. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and Leader and Des Moines Daily Capital, newspapers published in the City of Des Moines, Iowa.

And when so amended the bill do pass.

S. H. HARPER,
Chairman.

The substitute was read first and second time and passed on file.

Senator Hogue, from the committee on Incorporations, submitted the following report:

MR. PRESIDENT—Your committee on Corporations to whom was referred Senate file No. 17, a bill for an act relating to revenue, and providing for

cense fee upon corporations, and making an appropriation for the purpose of carrying out the object of this act, beg leave to report that they have had he same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

By striking out the the word "such" in the eleventh line of section one (1), after the word "contain", and insert in lieu, thereof, the words, "the ollowing"; also strike out all in the eleventh line of section one (1), after the word "information".

Add to section four, (4), the words, "as provided in section five (5)."

Strike out all of section five (5), and insert in lieu thereof the following as section five (5): On the first Monday of September of each year Secretary of State shall prepare a list of all delinquent corporations and file the same in his office. He shall thereupon send, by registered mail, to each delinquent a notice of such delinquency and that the charter permit or certificate of incorporation of such delinquent will be forfeited unless such fee is paid within sixty (60) days from such date, and he shall revoke such charter permit or certificate if the fee is not so paid. A copy of each of said notices shall be preserved by him and attached to the delinquent list above provided for.

Strike out the words "Clerk of the District Court" in line two (2), of section six (6), and insert in lieu thereof the words "County Recorder" also in line three (3) of section six (6), strike out the word "Clerk" and insert in lieu thereof the word "Recorder."

Strike out the words "Clerk of the District Court" in line five (5) of section nine (9) and insert in lieu thereof the words "County Recorder."

Insert a new section 12 as follows: Section 12. All corporations that have heretofore been required to make report annually to the Executive Council, the Auditor of State or the Railroad Commissioners, may file copy thereof with the Secretary of State in lieu of the report herein provided, in which case, and upon the payment of all fees herein contemplated, said corporation shall be entitled to receive the license provided for in this act.

Re-number section 12 as section 13, and section 13 as section 14.

And when so amended the bill do pass.

E. L. HOGUE,
Chairman.

Ordered passed on file.

Also:

Senator Hayward, 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. 108, a bill for an act to amend section fourteen hundred four (1404) of the code, relating to the assessment of personal

property, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

W. C. HAYWARD,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Ways and Means, to whom was referred House file No 16, a bill for an act amendatory and additional to the law as it appears in title twelve (XII) of chapter nineteen-a (19-a) repealing section twenty-six hundred-i (2600-i) and enacting a substitute therefor and amending section twenty-six hundred-h (2600-h) of the supplement to the code, relative to the practice of dentistry, recognizing certificates of dental examiners of other states and territories and providing for certificates of removal of dentists from 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 do pass.

W. C. HAYWARD,
Chairman.

Ordered passed on file.

Senator Dowell, 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 quiet the title to the north half of the northwest quarter and the southwest quarter of the northwest quarter of section eleven (11), township seventy-four (74), north of range seventeen (17), west of the fifth principal meridian, Mahaska county, Iowa, and to authorize the issuance of patent covering the north half of the northwest quarter of section eleven (11), towhship seventy four (74), north of range seventeen (17), west of the fifth principal meridian, Mahaska 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 same be amended as follows:

Amend the title by striking out all after the word "to" in the first line thereof and up to the word "township" in the third line, and inserting in lieu thereof the following: "authorize the revocation and cancellation of a patent issued for the west half of the northwest quarter of section one (1)."

Amend section two (2) by adding at the end of said section, the following words: "Provided that nothing herein shall affect pending litigation."

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 175, a bill for an act to amend section thirty hundred forty-seven (3047) of the code relating to the assignment of wages, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend section one (1) of the bill by inserting after the word "and," and before the word "unless", in the fifth line thereof, the following: "if married."

And by striking out of the sixth line thereof the following: "if both are living."

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 246, a bill for an act to repeal section twenty-two hundred eighty-seven (2287) of the code and chapter seventy-nine (79) of the acts of the Thirtieth General Assembly amending said section and to enact a substitute therefor in regard to the capture and return of patients escaped from hospitals for the insane and the payment of the expenses thereof, beg leave to report that they have had the same under consideration and have instucted me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend the title by inserting after the word "section" in the first line and before the figures "2287", the words "two thousand two hundred eighty-seven," and also place in brackets the figures "2287" in the first line of the title.

Amend section one (1), by inserting after the word "section" in the first line and before the figures "2287", the words "two thousand two hundred eighty-seven," and also by placing in brackets the figures "2287" in the first line.

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 247, a bill for an act to provide for the care and removal to their place of legal settlement of non-resident insane and for the payment of expenses thereof and repealing section twenty-seven hundred thirty-seven-a-twenty-eight (2737-a-28) of the supplement to the code and all acts and parts of acts in conflict with this act, beg leave to report that

they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the sam be amended as follows:

Amend the title by inserting after word "repealing" in the third line and before the word "section" in the same line the words "the law as it appears in."

Amend section three (3) by inserting after the figure "3" in the first line of said section, and before the word "section" in the same line the following: "The law as it appears in."

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 325, a bill for an act to amend section number forty-eight hundred twenty-two (4822), of the code, relating to malicious injury to buildings and fixtures, beg leave to report that 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.

C. C. DOWELL.
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 259, a bill for an act to amend section thirty-one hundred seventy-three (3173) of the code and for the suppression of frequent divorces, beg leave to report that they have had the same under consideration and have instructed me te report the same back to the Senate with the recommendation that the same be indefinitely postponed.

C. C. DOWELL,
Chrirman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 262, a bill for an act to amend section fifty hundred seventy-one (5071) of the code in reference to the wearing of the insignia of secret societies by unauthorized 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 same be indefinitely postponed.

C. C. DOWELL.
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No 261, a bill for an act to amend section eight hundred ninety-four (894) of the supplement to the code and to provide for the repair, maintenance and preservation of building and improvements upon real estate owned by a 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 same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 264, a bill for an act to amend section forty-five hundred forty-seven (4547) of the code relative to appeals from justice 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 same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 57, a bill for an act to regulate the employment of child labor and to provide for the enforcement thereof additional to chapter eight (8), title twelve (XII) of the code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 299, a bill for an act to amend section fifteen hundred sixty-six-a (1566-a) of the supplement to the code, relating to publication of itemized accounts of township officers, beg leave to report that they have had the

same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
Chairman

Ordered passed on file.

THIRD READING OF BILLS.

House file No. 190, a bill for an act to amend sections nineteen hundred sixty-eight (1968), nineteen hundred sixty-nine (1969), nineteen hundred seventy-one (1971) and nineteen hundred seventy-two (1972) of the code relative to the drainage of lead and zinc mines, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Crawford moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jamison, Jones, Kinne, Lambert, Lewis, Lyons, Maytag, Newberry, Smith of Des Moines, Spaulding, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—42.

The nays were:

None.

Absent or not voting:

Garst, Jackson, Kimmel, Molsberry, Saunders, Smith of Mitchell, Stuckslager, Winne—8.

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

REPORT OF COMMITTEE.

Senator Dowell, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 74, a bill for an act to regulate the employment of child labor and to provide for the enforcement thereof, (additional to chapter eight (8),

title twelve (XII) of the code), beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by adopting the following substitute:

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

SUBSTITUTE FOR HOUSE FILE NO. 74.

A BILL for an act to regulate the employment of child labor and to provide for the enforcement thereof. (Additional to chapter 8, title XII, of the code.)

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

Section 1. No child under fourteen years of age shall be employed in any mine, manufacturing establishment, factory, mill, workshop, laundry, bowling alley, or any mercantile establishment where eight or more persons are employed; nor shall any such child be employed in any work performed with or without wages or other compensation or thing of value, to whomsoever payable, during the hours when the public schools of the school corporation in which such child resides are in session, unless he has, within the last twelve months, attended school in the manner and for the time now or hereafter provided by law.

Sec. 2. No child under sixteen years of age shall be employed in any work which, by reason of the nature of the work, or the particular place of its performance, is dangerous to life or limb; or in which, owing to conditions, may be injurious to his health; or in which, owing to the nature of surroundings, his morals may be depraved; or in any place where intoxicating liquors are kept for sale, sold, or given away.

No female child under sixteen years of age shall be employed in any capacity where such employment compels her to remain standing constantly.

No child under sixteen years of age shall be employed in any work in any mine, manufacturing establishment, factory, mill, workshop, laundry bowling alley, or in any mercantile establishment where five or more persons are employed, before the hour of seven o'clock in the morning, or after the hour of eight o'clock in the evening; nor shall such child be employed in any work in such employment more than ten hours in any one day, not including the time allowed for meals.

Sec. 3. Truant officers, sheriffs, constables, mayors, town or city marshals, or other peace officers within the district or territory for which they are elected or appointed, state mine inspectors, inspectors of factories, and the commissioner of the Bureau of Labor Statistics and his deputies and assistants, may visit any mine, quarry, manufacturing establishment, factory, mill, workshop, laundry, bowling alley, mercantile establishment, or other place where labor is employed, to ascertain whether any minors are employed therein contrary to the provisions of this act. Such officer shall report any case of illegal employment to the secretary of the school corporation in which the minor resides, and in which he is employed; and such offi-

cer shall report any case of illegal employment to the county attorney and sheriff of the county, or to the city solicitor of the city and marshal of the city or town, and to the commissioner of the Bureau of Labor Statistics.

Sec. 4. Any parent, guardian, or other person who, having under his control any minor, causes or permits said minor to work or be employed in violation of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction shall be fined not more than $25.00, or be imprisoned not more than ten days, or by both such fine and imprisonment.

Sec 5. Every person, firm or corporation, agent or manager, superintendent or foreman of any person, firm, or corporation, whether for himself or for such person, firm, or corporation, or by himself, or through sub-agents or foremen, superintendent, or manager, who shall violate, or fail to comply with any of the provisions of this act, or shall employ any minor contrary to the provisions of this act, or shall refuse admittance to any officer or person authorized to visit or inspect any premises or place of business under the provisions of this act, after such officer or person shall announce his name, the office he holds, and the purpose of his visit, or shall otherwise obstruct such officer or person in the performance of his duties as prescribed by this act, shall be guilty of a misdemeanor, and upon conviction shall be fined not more than one hundred dollars, or be imprisoned not more than thirty days, or by both such fine and imprisonment.

Sec. 6. It shall be the duty of the Commissioner of the Bureau of Labor Statistics to carry out and enforce the provisions of this act, and it shall be the duty of every sheriff, or city or town marshal, or other peace officers when imformed by any officer authorized to inspect places where labor is employed that any of the provisions of this act have been violated, to file or cause to be filed an information or informations against the person or persons guilty of such offense, and to notify the city solicitor or county attorney, thereof, and it shall be the duty of every city solicitor or county attorney, when so notified of the filing of an information, to attend and prosecute the same.

Sec. 7. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

The substitute was read first andsecond time and passed on file.

Senator Dowell moved that House file No. 74 be made a special order for Tuesday, March 13, 1906, at 10 o'clock A. M.

Carried.

The President announced that he had signed in the presence of the Senate, Senate files No. 138, 6, 180, 122 and 184.

Senate Crawford moved to re-refer Senate file No. 208 to the committee on Cities and Towns.

Carried.

THIRD READING OF BILLS.

Substitute for House file No. 23, a bill for an act providing limitations for the commencement of actions relative to real property, additional to chapter two (2), title eighteen (18) of the code was taken up and considered.

Senator Dunham offered the following amendment and moved its adoption:

Strike out all of Section 1, between word "authorized" in 9th line and "any" in 13th line, and insert: To file in the recorder's office of the county where the land is situated, a notice with affidavit, setting forth affiant's claim, together with the facts upon which such claim rests, and the residence of such claimant; and if such notice is not filed within two years from the taking effect of this act, such claim be forever barred.

Adopted.

Senator Jamison moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Crawford, Dunham, Eckles, Elerick, Ericson, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hayward Hogue, Hopkins, Hughes, Jamison, Kinne, Lambert, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—38.

The nays were:

Courtright, Crossley, Dowell, Garst, Jones, Lewis, Winne—7.

Absent or not voting:

Jackson, Kimmel, Smith of Mitchell, Stuckslager, Molsberry—5.

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

REPORTS OF COMMITTEES.

Senator Hartshorn from the committee on Printing, submitting the following report:

MR. PRESIDENT—Your committee on Printing, to whom was referred Senate file No. 16, a bill for an act to amend section four hundred forty-one (441) of the code in regard to official 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 the same be amended by the adoption of the following substitute:

A BILL for an act to amend the law as it appears in section four hundred forty-one (441) of the supplement of the code in relation to official newspaper.

Be it anacted by the General Assembly of the State of Iowa.

Section 1. The law as it appears in section four hundred forty-one (441) in the supplement to the code, is hereby amended by striking out the word "seventeen" in the twentieth line of said section and inserting in lieu thereof the word "fifteen."

And when so amended the bill do pass.

F. C. HARTSHORN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Printing, to whom was referred Senate file No. 254, a bill for an act to amend chapter one (1) of the acts of the Twenty-seventh General Assembly, relating to the publication of the laws 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 do pass.

F. C. HARTSHORN,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Turner, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 172, a bill for an act to amend section fourteen hundred sixty-seven (1467) of the code, relating to assessment and collection of collateral inheritance.

Also:

Senate file No. 184, a bill for an act to legalize the acts of the town council of the town of Ida Grove, Iowa, relating to the erection of a public building and fire station in the incorporated town of Ida Grove, Iowa, and the subsequent acts of the officers of said town in relation thereto.

Also:

Senate file No. 180, a bill for an act making an appropriation for the erection of a monument at the Aspen Grove cemetery, Burlington, Iowa, to perpetuate the memory of John Morgan and providing the method of such erection.

Also:

Senate file No. 138, a bill for an act to amend the law as it appears in section fifteen hundred thirty-three (1533), of the supplement to the code.

Also:

Senate file No. 6, a bill for an act to encourage the use of wagons with wide tires on public highways and providing for a rebate of a portion of their tax to persons using wagons with tires not less than 3 inches in width when having heavy loads on public highways of this state.

D. W. TURNER,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turner, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committeeon Enrolled Bills, respectfully report that they have examined, and find correctly enrolled, Senate file No. 122, a bill for an act to amend section fourteen hundred sixty-seven (1467) of the code, relating to assessment and collection of collateral inheritance.

Also:

Senate file No. 184, a bill for an act to legalize the acts of the town council of the town of Ida Grove, Iowa, relating to the erection of a public building and fire station in the incorporated town of Ida Grove, Iowa, and the subsequent acts of the officers of the town in relation thereto.

Also:

Senate file No 180, a bill for an act making an appropriation for the erection ot a monument at the Aspen Grove Cemetery, Burlington, Iowa, to perpetuate the memory of John Morgan and providing the method of such erection.

Also:

Senate file No. 138, a bill for an act to amend the law as it appears in section fifteen hundred thirty-three (1533) of the supplement to the code.

Also:

Senate file No. 6, a bill for an act to encourage the use of wagons with wide tires on public highways and providing for a rebate of a portion of their tax to persons using wagons with tires not less than 3 inches in width when hauling heavy loads on the public highways of this state.

D. W. TURNER,
Chairman Senate Committee.
H. L. SPAULDING,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate file No. 122, a bill for an act to amend section fourteen hundred sixty-seven (1467) of the code relating to assessment and collection of collateral inheritance.

Also:

Senate file No. 184, a bill for an act to legalize the acts of the town council of the town of Ida Grove, Iowa, relating to the erection of a public building and fire station in the incorporated town of Ida Grove, Iowa, and the subsequent acts of the officers of said town in relation thereto.

Also:

Senate file No, 180, a bill for an act making an appropriation for the erection of a monument at the Aspen Grove Cemetery, Burlington, Iowa, to perpetuate the memory of John Morgan and providing the method of such erection.

Also:

Senate file No. 138, a bill for an act to amend the law as it appears in section fifteen hundred thirty-three (1533) of the supplement to the code.

Also:

Senate file No. 6, a bill for an act to encourage the use of wagons with wide tires on public highways and providing for a rebate of a portion of heir road tax to persons using wagons with tires not less than three inches in width when hauling heavy loads on the public highways of this state.

D. W. TURNER.
Chairman.

SENATE RESUMED THIRD READING OF BILLS.

House file No. 107, a bill for an act to amend section nine hundred seventy-five (975) of the code relating to delinquent taxes in cities under special charter, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hayward moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Ericson, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Jones, Kinne, Lambert, Lewis, Maytag, Saunders, Smith of Des Moines,

Spaulding, Stirton, Stookey, Taylor, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee Young of Calhoun, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Elerick, Garst Hogue, Jackson, Kimmel, Lyons, Molsberry, Newberry, Smith of Mitchell, Stuckslager, Turner—11.

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

On request of Senator Stookey leave of absence was granted Senator Jamison for the remainder of the day.

Senator Dowell moved that when the Senate adjourns this afternoon it be until two o'clock P. M. Monday.

Carried.

SENATE RESUMED THIRD READING OF BILLS.

Senate file No. 175, a bill for an act to amend sections five hundred sixty-five (565) and eleven hundred thirty (1130) of the code in relation to the election of township clerk and township trustees in townships, a part of which is included within the corporate limits of any city or town, with report of committee recommending a substitute and passage, was taken up, considered, and the report of the committee adopted.

The substitute was read for information.

By unanimous consent further consideration of the bill was passed.

INTRODUCTION OF BILLS.

By Senator Saunders, Senate file No. 283, a bill for an act to amend section thirteen hundred four (1304) of the code, so as to exempt from taxation the accumulations and funds of fraternal beneficiary associations,

Read first and second time and referred to committee on Insurance.

By Senator Crawford, Senate file No. 284, a bill for an act making an appropriation for the House of the Good Shepherd at Dubuque, Iowa.

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

Senator Crossley moved that the Senate do now adjourn.

Carried.

Senate adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M., President Herriott presiding.

Senate resumed consideration of Senate file No. 175 which was under consideration this morning.

Senator Stookey offered the following amendments and moved their adoption:

Move to amend by striking out of section one (1) of the printed substitute the words "and township trustee or trustees" in lines three (3) and four (4) thereof.

Also:

The same words "and township trustee or trustees" in said section one (1) and place the period after the word "clerk" in line five (5) of said section.

Also:

Move to amend section two (2) by striking out of line four (4) "and trustee or trustees," also, by striking out of the last line of section two (2) the words "and township trustee or trustees" and placing the period after the word "clerk" in the last line of said section.

By unanimous consent further consideration of the bill was postponed until Monday.

PETITIONS AND MEMORIALS.

Senator Crossley presented petition of citizens of South Stuart, Adair county, Iowa, urging the passage of the law prohibiting ball games, etc., on the Sabbath.

Referred to committee on Judiciary.

Senator Crossley presented petition of 112 citizen of Iowa and members of the Iowa National Guard urging the passage of the Military bill and an increase in the Iowa National Guard appropriation to $100,000.00 per anmum.

Referred to committee on Military

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 bill in which the concurrence of the Senate is asked:

House file No. 330, a bill for an act to repeal sections ten hundred fifty-seven (1057), ten hundred sixty-four (1064), ten hundred sixty-five (1065), ten hundred sixty-six (1066), ten hundred seventy (1070), ten hundred seventy-one (1071), and to enact a substitute therefor relating to the election of officers and the term of office.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 190, a bill for an act to legalize the action of the Board of Supervisors and other officers of Jasper county, Iowa, as far as they relate to the establishment of a certain public highway in Kellogg township, Jasper county, Iowa.

C. R. BENEDICT,
Chief Clerk.

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:

House file 306, a bill for an act to amend section forty-one hundred fourteen (4114) of the code relating to notice of appeal.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

House file 275, a bill for an act to amend section seven hundred twenty-two (722) of the code, relative to the condemnation of property by cities and towns, for the purpose of constructing and maintaining dams across the waters and water courses of the State, in forming reservoirs and sources of water to supply water works or plants.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 183, a bill for an act to repeal section twenty-nine hundred seventy-two (2972) of the code and enact a substitute therefor and to

repeal section forty hundred eleven (4011) of the code and enact a substitute therefor, relating to exemption to heads of families resident in the State.

C. R. BENEDICT,
Chief Clerk

THIRD READING OF BILLS.

House file No. 197, a bill for an act to repeal chapter sixty-five (65) acts of the Twenty-eighth General Assembly, relating to stipulated premium life insurance associations, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Whipple moved the adoption of the following committee amendments:

Amend the title by inserting after the words "a bill for an act to repeal" the words "the law as it appears in."

Amend section one (1) by inserting after the word "that" in the first line of said section, the words "the law as it appears in."

Adopted.

Senator Whipple moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall ths bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gillilland, Harper, Harsthorn, Hasselquist, Hayward, Hopkins, Hughes, Jones, Kinne, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—40.

The nays were:

None.

Absent or not voting:

Bruce, Gale, Garst, Hogue, Jackson, Jamison, Kimmel, Molsberry, Smith of Mitchell, Stuckslager—10.

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

By unanimous consent, on motion of Senator Wilson of Clinton, Senate file No. 48, a bill for an act to legalize the acts of the

board of directors and electors, and authorize the issuing of forty thousand dollars ($40,000) in school building bonds in the Independent school district of LyonsCity,Cinton county, Iowa, and to validate said bonds, which had been indefinitely postponed, was taken up and considered.

Senator Wilson of Clinton moved to reconsider the vote by which Senate file No. 48 was indefinitely postponed.

Carried.

The bill was read for information.

On the question, Shall the report of the committee recommending indefinite postponment be adopted?

The report was not adopted.

Senator Wilson of Clinton moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Crawford, Crossley, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Kinne, Lyons, Maytag, Smith of Des Moines, Spaulding, Stirton, Taylor, Turner, Wade, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—28.

The nays were:

Courtright, Dowell, Dunham, Lambert, Lewis, Newberry, Warren, Whipple—8.

Absent or not voting:

Brooks, Bruce, Gale, Hogue, Jackson, Jamison, Jones, Kimmel, Molsberry, Saunders, Smith of Mitchell, Stookey, Stuckslager, Wilson of Fayette—14.

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

House file No. 258, a bill for an act to legalize the appointment of trustees for Cedar township, Linn county, Iowa, by the auditor of said county for the year 1906, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Bleakly moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Crossley, Dowell Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jones, Kinne, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Taylor, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—40.

The nays were:

None.

Absent or not voting:

Bruce, Hogue, Jackson, Jamison, Kimmel, Molsberry, Smith of Mitchell, Stookey, Stuckslager, Wade—10.

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

The President announced that he had signed in the presence of the Senate, House files No. 12, 153, 97, 178, 227, 57 and Senate file No. 27.

House file 198, a bill for an act to repeal section seventeen hundred eighty-four (1784) of the supplement to the code, relating to assessment life insurance associations, and enact substitute therefor, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Whipple moved the adoption of the following committee amendments.

That the title of the bill be amended by inserting after the words, "a bill for an act to repeal" the words "the law as it appears in."

Amend section one (1) of the bill by inserting after the word "that" in the first line of said section the words "the law as it appears in."

Adopted.

Senator Whipple moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Crossely, Dowell, Dunham, Eckles, Elerick, Ericson, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jones, Kinne, Lambert, Lewis, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—38.

The yeas were:

None.

Absent or not voting:

Bruce, Gale, Garst, Jackson, Jamison, Kimmel, Lyons, Maytag, Molsberry, Smith of Mitchell, Stuckslager, Winne—12.

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

House file No. 199, a bill for an act to amend section sixteen hundred eighty-nine (1689) ot the code, relating to mutual insurance companies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Whipple moved that the rule be suspended and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Dunham, Eckles, Elerick, Ericson, Gale, Gillilland, Harper, Hasselquist, Hayward, Hopkins, Hughes, Kinne, Lambert, Maytag, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—35.

The nays were:

Lewis—1.

Absent or not voting:

Bruce, Crossley, Dowell, Garst, Hartshorn, Hogue, Jackson, Jamison, Jones, Kimmel, Lyons, Molsberry, Smith of Mitchell, Stuckslager—14.

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

Senate file No. 237, a bill for an act to amend the law relative to appropriation for law library as it appears in section twenty-eight hundred eighty-one-e(2881-e) of the supplement to the code, with report of committe rccommending passage was taken up considered, and the report of the committee adopted.

The bill was read for information.

The President announced the Senate as in Committee of the Whole.

The president announced the Senate as in regular session.

Senator Turner offered the following amendment and moved its adoption:

Amend by striking out the word "four" in the third line and insert in lieu thereof the word "three".

The amendment was lost.

Senator Dunham moved that the rule be suspended, and that the bill be considered engrossed and the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell Dunham, Eckles, Ericson, Gale, Garst, Gillilland, Harper, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Kinne, Lambert, Lewis, Maytag, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Taylor, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—40.

The nays were:

Lyons, Turner—2.

Absent or not voting:

Harshorn, Jackson, Jamison, Jones, Kimmel, Molsberry, Smith of Mitchell, Stuckslager—8.

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

INTRODUCTION OF BILLS.

By Senator Brooks, Senate file No. 285, a bill for an act in relation to a lost, stolen or destroyed note, bond, bill of exchange, draft, certificate of deposit or other evidence of indebtedness and prescribing how action may be brought thereon.

Read first and second time and referred to committee on Banks and Banking.

By Senator Newberry, Senate file No. 286, a bill for an act to legalize the incorporation of the town of Osterdock in Clayton county, Iowa, and to legalize the election of its officers and all acts done and ordinances passed by the council of said town.

Read first and second time and referred to committee on Judiciary.

The Journal of yesterday was taken up, corrected and approved.

REROR T OF COMMITTE ON ENROLLED BILLS.

Senator Turner, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills repectfully report that they have examined, and find correctly enrolled, Senate file No. 27, a bill for an act to amend the law as is appears in sections twenty-seven hundred thirty-nine (2739), twenty-seven hundred sixty-two (2762), twenty seven hundred sixty-four (2764), twenty seven hundred sixty-five (2765), twenty-seven hundred sixty nine (2769), twenty-seven hundred seventy-three (2773), twenty-seven hundred eighty-five (2785), twenty-eight hundred (2800), twenty-eight hundred one (2801) and twenty-eight hundred two (2802) of the code and the law as it appears in sections twenty-seven hundred fifty-four (2754) and twenty-seven hundred ninety-three (2793) of the code and enact substitutes therefor, relative to the school year, organization and meetings of the school boards, reports of school officers and the changing of boundaries of school corporations.

D. W TURNRE,
Chairman.

Order passed on file.

REPORTS OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turner, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No.

12, bill for an act relating to the time of bringing actions against estates of deceedents and additional to section thirty-four hundred forty-seven (3447) of the code.

Also:

House file No. 57, a bill for an act to amend the law which appears as section eighteen hundred six (1806) supplement to the code relating to th investment of funds of insurance companies and associations.

Also:

House file No. 97, a bill for an act appropriating fifty dollars ($50.00) for the purpose of repairing the Soldiers' Orphan's monument at Cedar Falls, and inscribing the names of deceased soldiers' orphans thereon.

Also:

House file No. 153, a bill for an act to amend section seven (7), chapter forty (40), of the acts of the Thirtieth General Assembly of the State of Iowa, relating to primary elections and the manner in which candidates may procure their names to be placed on the primary ticket.

Also:

House file No. 178, a bill for an act making appropriations to defray the mileage and expenses of the members of the various committees sent by the Thirty-first General Assembly to visit the several state institutions.

Also:

Senate file No. 27, a bill for an act to amend the law as it appears in sections twenty-seven hundred thirty-nine (2739), twenty-seven hundred sixty-two (2762), twenty-seven hundred sixty-four (2764), twenty-seven hundred sixty-five (2765), twenty-seven hundred sixty-nine 2769), twenty-seven hundred seventy-three (2773), twenty-seven hundred eighty-five (2785), twenty-eight hundred (2800), twenty-eight hundred one (2801), and twenty-eight hundred two (2802) of the code and the law as it appears in sections twenty-seven hundred fifty-four (2754) and twenty-eight hundred six (2806) of the supplement to the code; and to repeal sections twenty-seven hundred fifty-seven (2757) and twenty-seven hundred ninety-three (2793) of the code and enact substitutes therefor, relative to the school year, organization and meetings of school boards, reports of school officers and the changing of boundaries of school corporations.

Also:

House file No. 227, a bill for an act to amend chapter sixty-eight (68) of the laws of the Thirtieth General Assembly, relative to the establishment of levees, ditches, drains and water courses.

D. W. TURNER,
Chairman Senate Committee.
H. L. SPAULDING,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate file No. 27, a bill for act to amend the law as it appears in sections twenty-seven hundred thirty-nine (2739), twenty-seven hundred sixty-two (2762), twenty-seven hundred sixty-four (2764), twenty-seven hundred sixty-five, (2765), twenty-seven hundred sixty-nine (2769), twenty-seven hundred seventy-three (2773), twenty-seven hundred eighty-five (2785), twenty-eight hundred (2800), twenty-eight hundred one (2801) and twenty-eight hundred two (2802) of the code and the law as it appears in sections twenty-seven hundred fifty-four (2754) and twenty-seven hundred ninety-three of the code and enact substitutes therefor, relative to the school year, organization and meetings of school boards, reports of school officers and the changing of boundaries of school corporations.

D. W. TURNER,
Chairman.

Senator Garst moved that the Senate do now adjourn.

Carried.

Senate adjourned.

JOURNAL OF THE SENATE

SENATE CHAMBER,
DES MOINES, IOWA, Monday, March, 12, 1906.

Senate met pursuant to adjournment at 2 o'clock P. M., President Herriott presiding.

Prayer was offered by the Rev. Wm. Cobb of Bedford, Iowa.

PETITIONS AND MEMORIALS.

Senator Crawford presented petition of E. H. Smith of Dubuque county, asking reimbursement for money and time spent as commissioner of Dubuque county at the Cotton Exposition at New Orleans in 1884 and 1885.

Referred to committee on Claims.

Senator Crawford presented petition of twenty retail druggists of Dubuque requesting the passage of the bill increasing the license of itinerant vendors of patent medicines to $300 per year

Referred to committee on Public Health.

Senator Hayward presented remonstrance of the Davenport Shooting Association against the proposed law prohibiting athletic exhibitions and entertainments on Sunday.

Referred to committee on Judiciary.

Senator Kinne presented petition of members of the Ayshire Farmers' Elevator Co. asking the passage of the "Reciprocal Demurrage bill."

Referred to committee on Agriculture.

Senator Crossley presented petition of retail merchants of Adair, Iowa, urging the passage of the proposed Exemption bill.

Referred to committee on Ways and Means.

Senator Ericson presented petition of Story County Farmers, Institute commending the stand taken by President Roosevelt, members of Congress, Governor Cummins and the Legislature of Iowa, in the matter of large corporations, and favoring the Pri-

mary Law, Anti-Pass bill, Two Cent railroad fare, the election of United States Senators by a direct vote of the people and proper reciprocity treaties.

Referred to committee on Commerce.

INTRODUCTION OF BILLS.

By Senator Eckles, Senate file No. 287, a bill for an act to appropriate two thousand dollars annually for a period of three years to aid Iowa municipalities in obtaining information of general public interest and providing for the publication of the same.

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

By Senator Crawford, Senate file No. 288, a bill for an act to amend section twenty-four hundred thirty-two (2432) of the code providing for the payment of a mulct tax.

Read first and second time and referred to committee on Suppression of Intemperance.

By Senator Crawford, Senate file No. 289, a bill for an act for the relief of E. Howard Smith and to reimburse him for money and labor advanced and expended by him as Commissioner of Iowa for Dubuque county at the World's Fair or Cotton Exposition at New Orleans in 1884-1885.

Read first and second time and referred to committee on Claims.

By Senator Dunham, Senate file No. 290, a bill for an act to amend section eighteen hundred twenty-five (1825) of the code relating to fraternal beneficial associations.

Read first and second time and referred to committee on Insurance.

By Senator Molsberry, Senate file No. 291, a bill for an act to amend section eleven hundred six (1106) of the code, relative to placing names of candidates upon the ballots to be used at general elections.

Read first and second time and referred to committee on Elections.

By Senator Warren, Senate file No. 292, a bill for an act making an appropriation for the erection and equipment of

necessary and additional buildings for the State Hospital for Inebriates at Knoxvi

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

HOUSE MESSAGES CONSIDERED.

House file No. 183, a bill for an act to repeal section twenty-nine hundred seventy-two (2972) of the code and enact a substitute therefor and to repeal section forty hundred eleven (4011) of the code and enact a substitute therefor, relating to exemption to heads of families residents in the state.

Read first and second time and referred to committee on Ways and Means.

House file No. 330, a bill for an act to repeal sections ten hundred fifty-seven (1057), ten hundred sixty-four (1064), ten hundred sixty-five (1065), ten hundred sixty-six (1066), ten hundred seventy (1070) and ten hundred seventy-one (1071) and to enact a substitute therefor relating to the election of officers and the term of office.

Read first and second time and referred to committee on Tenure of Office.

House file No. 306, a bill for an act to amend section forty-one hundred fourteen (4114) of the code, relating, to notice of appeal.

Read first and second time and referred to committee on Judiciary.

House file No. 275, a bill for an act to amend section seven hundred twenty-two (722) of the code, relative to the condemnation of property by cities and towns, for the purpose of constructing and maintaining dams across the waters and water courses of the state, in forming reservoirs and sources of water to supply water works or plants.

Read first and second time and referred to committee on Judiciary.

House file No. 206, a bill for an act to indemnify L. H. Fenton for personal injury sustained by him while employed at the State Hospital for the Insane at Mt. Pleasant, Iowa.

Read first and secoud time and referred to committee on Claims.

House file No. 332, a bill for an act to amend section ten hundred ninety-three (1093) of the code, relating to election boards.

Read first and second time and referred to committee on Tenure of Office.

House file No. 331, a bill for an act to amend section one hundred forty-six (146) of the code, relating to the term of office of the Custodian of Public Buildings.

Read first and second time and referred to committee on Tenure of Office.

House file No. 229, a bill for an act to amend section twenty-four hundred thirty-nine (2439) of the code, relative to the collection of the mulct tax.

Read first and second time and referred to committee on Judiciary.

House file No. 146, a bill for an act appropriating the sum of eight hundred sixty-two dollars thirty-eight cents ($862.38) to be paid to H. W. Tapley and Phillip Morgan in settlement of all claims against the state of Iowa by reason of the loss of valuable coins abstracted from the Historical Building by an employee of the state.

Read first and second time and referred to committee on Claims.

Senate file No. 154, a bill for an act to amend section forty hundred twenty-five (4025), of the code in relation to notice of defendant in sales under execution.

Ordered passed on file.

Senate file No. 167, a bill for an act making appropriation for the erection of a monument in Elm Grove cemetery, Washington, Iowa, over the grave of Timothy Brown, a soldier of the Revolutionary war.

Ordered passed on file.

Senate file No. 43, a bill for an act to amend sections eleven hundred nine (1109), eleven hundred twenty (1120), eleven hundred twenty-one (1121), of the code and to amend the law as it appears in sections eleven hundred six (1106), and eleven hundred nineteen (1119), of the supplement to the code, relating to elections, form of and manner of marking the ballot.

Ordered passed on file.

Senate file No. 190, a bill for an act to legalize the action of the board of supervisors and other officers of Jasper county, Iowa, as far as they relate to the establishment of a certain public highway in Kellogg township, Jasper county, Iowa.

Ordered passed on file.

House concurred in Senate concurrent resolution relative to printing rules of the Thirty-first General Assembly.

Ordered passed on file.

REPORT OF COMMITTEE.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate file No. 205 a bill for an act to appropriate the sum of seventy-five dollars ($75) to pay Henry Eyler for money advanced by him to the State of Iowa as rent for certain lake beds situated in Wright 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 same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate file No. 189, a bill for an act to create a board of regents for the state university, the college of agriculture and mechanic arts and the normal school and to prescribe its duties and to provide for the management and control of the state university, the college of agriculture and mechanic arts and the normal school, to make appropriations therefor and to define certain offenses and provide penalties therefor, and to repeal sections twenty-six hundred seventeen (2617), twenty-six hundred eighteen (2618), twenty-six hundred nineteen (2619), twenty-six hundred twenty (2620), twenty-six hundred thirty-five (2635), twenty-six hundred thirty-six (2636), twenty-six hundred forty-two (2642), twenty-six hundred forty-six (2646), twenty-six hundred forty-seven (2647), twenty-six hundred fifty (2650), twenty-six hundred fifty-one (2651), twenty-six hundred fifty-two (2652), twenty-six hundred fifty-three (2653,) twenty-six hundred sixty-eight (2668), twenty-six hundred sixty-nine (2669), twenty-six hundred seventy (2670), twenty-six hundred eighty-one (2681), of the code and the law as it appears in sections twenty-seven hundred twenty-seven-a-fifty-three (2727-a-53), twenty-seven hundred twenty-seven-a-fifty-four (2727-a-54), twenty-seven hundred twenty-seven-a-fifty-five (2727-a-55), twenty-seven hundred twenty-seven-a-fifty-six (2727-a-56), of the supplement to the code, and to

repeal all acts and parts of acts inconsistent with 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 a substitute therefor, and that substitute do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

The substitute was read first and second time.

Senator Garst asked unanimous consent that 300 copies of the substitute be ordered printed and that it be not printed in the Journal.

Consent granted.

Senator Whipple asked unanimous consent to have Senate file No. 189 made a special order for Thursday, March 15, 1906, at 10:30 o'clock A. M.

Consent granted.

Senator Crawford, from the committee on Federal Relations submitted the following report:

MR. PRESIDENT—Your committee on Federal Relations to whom was referred concurrent resolution adopted by the House, March 7, 1906, endorsing the action of the President and Congress of the United States in its approval of a second conference at the Hague for the promotion of international justice and peace, beg leave to report that 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 adopted.

P. W. CRAWFORD,
Chairmau.

Adopted.

Senator Winne, from the committee on Labor, submitted the following report:

MR. PRESIDENT—Your committee on Labor to whom was referred Senate file No. 107, a bill for an act to repeal section twenty-four hundred seventy-four (2474) of the code relating to reports and returns to the Bureau of Labor Statistics and to enact a substitute therefore beg leave to report that 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.

E. K. WINNE,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Labor to whom was referred Senate file No. 86, a bill for an act to amend the law as it appears in section forty-nine hundred ninety-nine-b (4999-b) of the supplement to the code relating to the safe guarding of machinery, beg leave to report that 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.

E. K. WINNE,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Labor, to whom was referred Senate file No. 176, a bill for an act authorizing the establishment of state employment offices under supervision 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 the same be indefinitely postponed.

E. K. WINNE,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Stuckslager, from the committee appointed to draft resolutions on the death of Honorable Ezekiel B. Kephart, submitted the following report:

MR. PRESIDENT—Your committee appointed to draft resolutions on the death of Honorable Ezekiel B. Kephart respectfully submit the following:

WHEREAS, an allwise Providence has removed from among us so very suddenly and unexpectedly Honorable Ezekiel B. Kephart, an honorable member of the Upper House of the General Assembly of the State of Iowa in the years 1872 to 1876, who assisted in the revision of the entire code of Iowa, and who in the main shaped the present school law of the State and arranged the system of normal institutes, was a man of great administrative ability, eminent in scholarship, a distinguished jurist, the acknowledged parliamentarian of his church, authority upon all church law, was possessed of great social qualities, whose domestic relations were most beautiful, dignifying and glorying the home life, a type of Christian citizen, loving, intelligent, Catholic, noble and pure, optimistic in his views, looking out hopefully into the future and believing that for the church and our honored nation there is a brighter day. A manly man, a true patriot, an honored citizen, loved and respected by all with whom he came in contact. He was elected to the presidency of Western College this State in 1869, and served in that capacity thirteen years. He was elected Bishop of the Church of

the United Brethern in Christ in 1881. In this capacity he served his church twenty-four years. Therefore, in view of his noble life, his lofty character and his eminent services be it

Resolved, That in the death of Honorable Ezekiel B. Kephart we have lost an illustrious citizen, a wise counsellor and a true patriot. His family has lost a faithful and devoted husband and a loving father, the community a valued and esteemed friend and the Church one of its noblest and ablest men, and be it further

Resolved, That these resolutions be entered on the Journal of the Senate and that an engrossed copy be presented to the wife and daughters of the deceased by the Secretary of the Senate.

W. C. STUCKSLAGER,
JAMES ELERICK,
R. C. STIRTON,
Committee.

Senator Stuckslager moved the adoption of the resolution.

Unanimously adopted by a rising vote.

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 bill in which the concurrence of the House was asked:

Senate file No. 163, a bill for an act prohibiting manipulation of the Babcock test or any other contrivance used for determining the quality of milk or cream, and providing punishment therefor.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 133, a bill for an act to grant and relinquish to the city of Council Bluffs, Iowa, the title of the State of Iowa in and to Big or Spring Lake, located in Pottawattamie county, Iowa.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 164, a bill for an act to grant and relinquish to the city o Council Bluffs, Iowa, the title of the state of Iowa, in or to the meandered lake known as Carr Lake.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 156, a bill for an act to amend section forty-nine hundred eighty-nine (4989) of the code, relating to the sale of adulterated milk and cream.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 277, a bill for an act to amend section thirty-three hundred sixty-six (3366) of the code, relative to the rights of a surviving husband in property of his deceased wife.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the Senate amendment to House file No. 250, in which the concurrence of the House was asked:

A bill for an act to amend section fifteen (15) of chapter eighty (80) acts of the Thirtieth General Assembly relating to State Hospital for Inebriates.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendment to House file No. 197, in which the concurrence of the House was asked:

A bill for an act to repeal chapter sixty-five (65) of the Twenty-eighth General Assembly relating to stipulated premium life insurance associations.

C. R. BENEDICT,
Chief Clerk

On request of Senator Jackson leave of absence was granted Senator Wilson of Fayette for the day.

On request of Senator Turner leave of absence was granted Senator Brooks for the day.

On request of Senator Young of Washington leave of absence was granted Senator Smith of Mitchell for the day.

On request of Senator Maytag leave of absence was granted Senator Saunders for the day.

THIRD READING OF BILLS.

House file No. 246, a bill for an act to legalize the incorporation of the town of Jamaica, Guthrie county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the council of said town, with report of committee recommending amendment and passage was taken up, considered, and the report of the committee adopted.

Senator Hopkins moved the adoption of the following committee amendments:

That section one (1) be amended by striking out the word "Legislation", being the last word in said section, and by inserting in lieu thereof the word "litigation".

Adopted.

Senator Hopkins moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—44.

The nays were:

None.

Absent or not voting:

Brooks, Garst, Saunders, Smith of Mitchell, Wilson of Fayette, Winne—6.

So the bill having received a constitutiomal majority was declared to have passed the Senate and its title agreed to.

Senate file No. 178, a bill for an act to amend sections eighteen (18) nineteen (19) of the code in relation to county auditors' reports to the State Auditor of codes, supplements to the code and session laws furnished by the Secretary of State to county audit-

ors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stookey moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bruce, Courtright, Crawford, Croosley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Spaulding, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—41.

The nays were:

None.

Absent or not voting:

Bleakly, Brooks, Garst, Hopkins, Jamison, Saunders, Smith of Mitchell, Stuckslager, Wilson of Fayette—9.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agree to.

MOTION TO RECONSIDER

I move to reconsider the vote by which House file No. 325 was indefinitely postponed.

O. B. COURTRIGHT.

The Journal of Saturday was taken up, corrected and approved.

Senator Molsberry moved that the Senate do now adjourn.

Carried.

Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, March 13, 1906.

Senate met in regular session at 9:30 o'clock A. M.—President Herriott presiding.

Prayer was offered by the Rev. P. S. Irvin of Chariton, Iowa.

On request of Senator Jones leave of absence was granted Senator Brooks for the day.

PETITIONS AND MEMORIALS.

Senator Crossley presented petition of merchants of Greenfield, Iowa, urging the passage of the Exemption bill.

Referred to committee on Ways and Means.

Senator Hartshorn presented petition of merchants of Wright county, Iowa, urging the passage of the Exemption bill.

Referred to committee on Ways and Means.

HOUSE MESSAGES CONSIDERED.

House file No. 197, a bill for an act to repeal chapter sixty-five (65) of the Twenty-eighth General Assembly, relating to stipulated premium life insurance associations.

Ordered passed on file.

House concurred in Senate amendments to House file No. 250, a bill for an act to amend section fifteen (15) of chapter eighty (80) of the Thirtieth General Assembly, relating to the State Hospital for Inebriates.

Ordered passed on file.

Senate file No. 163, a bill for an act prohibiting manipulation of the Babcock test or any other contrivance used for determining the quality of milk or cream, and providing punishment therefor.

Ordered passed on file.

Senate file No. 133, a bill for an act to grant and relinquish to the city of Council Bluffs, Iowa, the title of the State of Iowa in and to Big or Spring Lake, located in Pottawattamie county, Iowa.

Ordered passed on file.

Senate file No. 164, a bill for an act to grant and relinquish to the city of Council Bluffs, Iowa, the title of the State of Iowa in and to the meandered lake known as Carr Lake.

Ordered passed on file.

Senate file No. 156, a bill for an act to amend section forty-nine hundred eighty-nine (4989) and forty-nine hundred ninety (4990) of the code, relating to the sale of adulterated milk and cream.

Ordered passed on file.

House file No. 277, a bill for an act to amend section thirty-three hundred sixty-six (3366) of the code, relative to the rights of a surviving husband in property of his deceased wife.

Read first and second time and referred to committee on Judiciary.

REPORTS OF COMMITTEES.

Senator Hayward, 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. 243, a bill for an act providing for assessing mutual telephone companies, beg leave to report that they have 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.

W. C. HAYWARD,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Ways and Means to whom was referred Senate file No. 10, a bill for an act to provide for the erection, repair, improvement and equipment of buildings for the State Normal School, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

W. C. HAYWARD,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Ways and Means to whom was referred Senate file No. 168, a bill for an act providing for a levy of a special tax of one-fifth of a mill on the dollar upon the assessed valuation of the taxable property of the State for the erection, repair and improvement of buildings for the State University of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

W. C. HAYWARD,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Ways and Means to whom was referred Senate file No. 160, a bill for an act to provide for the erection, repair and equipment of buildings for the Iowa State College of Agriculture and Mechanic Arts, beg leave to report that 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.

W. C. HAYWARD,
Chairman.

Ordered passed on file.

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 bill in which the concurrence of the House was asked:

Senate file No. 44, a bill for an act to amend section eighty-eight (88), of the code relating to the clerk of the state land office.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 225, a bill for an act to amend section twenty-six hundred four (2604) of the code in relation to the salary of commandant of the Iowa Soldiers' Home.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 86, a bill for an act to require and regulate the registration of births and deaths in the state of Iowa, and to repeal section twenty-five hundred sixty-six (2566) and twenty-five hundred sixty-seven (2567) of the code, and to repeal chapter one hundred (100), laws of the Thirtieth General Assembly.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 246 in which the concurrence of the House was asked:

A bill for an act to legalize the incorporation of the town of Jamaica, Guthrie county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the council of said town.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 198 in which the concurrence of the House was asked:

A bill for an act to repeal section seventeen hundred eighty-four (1784) of the supplement to the code relating to assessment life insurance associations and enact substitute therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

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 House was asked:

Senate joint resolution No. 3. Joint resolution directing the Governor of the State of Iowa to invite the Governors of the several states to name representatives to an inter-state convention, to be held at Des Moines, Iowa, or elsewhere, for the purpose of securing such action on the part of the several states as will result in a Constitutional Convention for the proposal of an amendment to the constitution, providing for the election of United States Senators by a direct vote.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

House file No. 218, a bill for an act to amend section eight hundred fifty-five (855) of the code, relative to park commissioners and their powers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Courtright moved that the rule be suspended, and that the reading just had be considered its third reading which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale. Garst, Gilliland, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes. Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—43.

The nays were:

None.

Absent or not voting:

Brooks, Bruce, Crawford, Harper, Maytag, Molsberry, Stirton—7.

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

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turner from the joint committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your joint committee on enrolled bills respectfully report that they have examined, and find correctly enrolled House file No. 58, a bill for an act to amend section eighteen hundred fifty (1850) of the code in relation to the investment of funds of savings banks.

Also:

House file No. 107, a bill for an act to amend section nine hundred seventy-five (975) of the code relating to delinquent taxes in cities under special charter.

Also:

House file No. 190, a bill for an act to amend sections nineteen hundred sixty-eight (1968), nineteen hundred sixty-nine (1969), nineteen hundred seventy-one (1971), and nineteen hundred seventy-two, of the code relative to the drainage of lead and zinc mines.

Also:

House file No. 250, a bill for an act to amend section fifteen (15), of chapter eighty (80), acts of the Thirtieth General Assembly relating to the state hospital for inebriates.

Also:

House file No. 197, a bill for an act to repeal the law as it appears in sections seventeen hundred eighty-four-a (1784-a) to seventeen hundred eighty-four-o (1784-o) inclusive, supplement to the code, relating to stipulated premium and assessment life insurance associations.

D. W. TURNER,
Chairman Senate Committee.
H. L. SPAULDING,
Chairman House Committee.

Ordered passed on file.

INTRODUCTION OF BILLS.

By Senator Saunders, Senate file No. 293, a bill for an act to amend section seven hundred ninety-two (792) of the code so as to provide for the grading of streets at the expense of the abutting property owners.

Read first and second time and referred to committee on Cities and Towns.

By Senator Saunders, Senate file No. 294, a bill for an act appropriating six hundred thirty-eight dollars twenty-five cents for payment of James Brown, for services as second lieutenant while serving under orders of the Adjutant General of the state of Iowa.

Read first and second time and referred to committee on Claims.

By Senator Jamison, Senate file No. 295, a bill for an act to amend section twelve hundred ninety-three (1293) of the code relative to the publication of the official ballot.

Read first and second time and referred to committee on Printing.

By Senator Stookey, Senate file No. 296, a bill for an act to repeal sections twenty-six hundred twenty-eight (2628) twenty-six hundred twenty-nine (2629), twenty-six hundred thirty (2630), twenty-six hundred thirty-one (2631), twenty-six hundred thirty-three (2633), twenty-six hundred thirty-four (2634), chapter two (2), title thirteen (13) of the code, and the law as it appears in sections twenty-six hundred twenty-nine (2629), twen-

ty-six hundred thirty-a (2630-a), twenty-six hundred thirty-b (2680-b) and twenty-six hundred thirty-four-a (2634-a) chapter two (2), title thirteen (13) of the supplement of the code, and to define the powers and duties of the educational board of examiners and to encourage training in the science and art of teaching.

Read first and second time and referred to committee on Schools.

By Senator Jackson, Senate file No. 297, a bill for an act to amend the law as it appears in section six hundred seventy-nine-a (679-a) of the supplement to the code relating to Board of Police and Fire Commissioners in cities of the first class.

Read first and second time and referred to committee on Cities and Towns.

By Senator Saunders, Senate file No. 298, a bill for an act for the relief of W. J. McAhren, and making an appropriation of one hundred fifty-one dollars and ninety cents therefor.

Read first and second time and referred to committee on Claims.

THIRD READING OF BILLS.

House file No. 74, a bill for an act to regulate the employment of child labor and to provide for the enforcement thereof (additional to chapter eight (8), title twelve (12) of the code), with report of committee recommending a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Dowell moved that the substitute recommended by the committee be substituted for the original bill.

Adopted.

Section one was read for information.

Senator Smith of Mitchell offered the following amendment and moved its adoption:

Strike out the word "eight" in the third line of section one (1) of the substitute as printed in the Journal and insert in lieu thereof the word "ten."

Adopted.

Section two was read for information.

Senator Bruce offered the following amendment and moved ts adoption:

Add at the end of section two (2): "Provided, however, that the provision of this act shall not apply to children employed in the work of canning factories between the first days of July and December of each year."

The amendment was lost.

Section three was read for information.

Section four was read for information.

Senator Warren offered the following amendment and moved its adoption:

Amend substitute for House file No. 74 as follows:

Strike out the figures "$25.00" in the fourth line of section four (4) and iusert in lieu thereof the words and figures "one hundred ($100) dollars."

The amendment was lost.

Section five was read for information.

Section six was read for information.

Section seven was read for information.

Senator Young of Calhoun offered the following amendment and moved its adoption:

Amend by striking out the word "eight" in the fifth line of the third paragraph of section two and insert the word "six" in lieu thereof.

The amendment was lost.

Senator Turner offered the following amendment and moved its adoption:

Amend section one by striking out the word "ten" in line three and inserting in lieu thereof the word "twenty."

The amendment was lost.

Senator Bruce offered the following amendment and moved its adoption:

Strike out the word "fourteen" and insert the word "twelve "in the first line of section one.

On the question, Shall the amendment be adopted?

A roll call was demanded.

The yeas were:

Bruce, Garst, Hartshorn, Hogue, Hopkins, Jackson, Kimmel, Lyons, Smith of Des Moines, Smith of Mitchell, Turner, Wade, Young of Lee, Young of Calhoun—14.

The nays were:

Bleakly, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gillilland, Harper, Hasselquist, Hayward, Hughes, Jones, Kinne, Lewis, Maytag, Molsberry, Newberry, Saunders, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Washington—32.

Absent or not voting:

Brooks, Gale, Jamison, Lambert—4.

So the amendment was lost.

Senator Bruce offered the following amendment and moved its adoption:

Strike out the word "sixteen" and insert the word "fourteen" in the last paragraph of section two.

On the question, Shall the amendment be adopted?

A roll call was demanded.

The yeas were:

Bleakly, Bruce, Eckles, Elerick, Gale, Garst, Gillilland, Hartshorn, Hogue, Hopkins, Jackson, Jamison, Kimmel, Lambert, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Stookey, Stuckslager, Taylor, Turner, Wade, Whipple, Young of Lee, Young of Calhoun, Young of Washington—29.

The nays were:

Courtright, Crawford, Crossley, Dowell, Dunham, Ericson, Harper, Hasselquist, Hayward, Hughes, Jones, Kinne, Lewis, Saunders, Spaulding, Stirton, Warren, Wilson of Fayette, Wilson of Clinton, Winne—20

Absent or not voting:

Brooks—1.

So the amendment was adopted.

Senator Bruce offered the following amendment and moved its adoption:

Amend by inserting "or on any farm" after the word "employed" in the third line of section one; also by inserting "or on any farm" after the word "employed" in the fourth line of the last paragraph of section two.

Senator Lewis moved that when the Senate adjourn today it be until tomorrow at 10 o'clock A. M.

Senator Hughes moved to amend the motion so that it shall read, that when the Senate adjourn today, it shall be until 9:30 o'clock A. M., Thursday.

Carried.

The motion as amended prevailed.

Senator Wilson asked unanimous consent that the time of adjournment be extended until the bill under consideration be disposed of.

Consent granted.

Senator Wilson of Clinton moved the previous question on the amendment and the bill.

Carried.

The previous question on the amendment and the bill was ordered.

On the question, Shall the amendment offered by Senator Bruce be adopted?

A roll call was demanded.

The yeas were:

Bruce, Lyons, Young of Lee, Young of Calhoun—4.

The nays were:

Bleakly, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hasselquist, Hayward, Hughes, Jackson, Jones, Kimmel, Kinne, Maytag, Molsberry, Newberry, Saunders, Smith of Mitchell, Spaulding, Stirton, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Washington—36.

Absent or not voting:

Brooks, Gale, Hartshorn, Hogue, Hopkins, Jamison, Lambert, Lewis, Smith of Des Moines, Stookey—10.

So the amendment was lost.

Senator Dowell moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—46.

The nays were:

Brooks, Elerick, Jamison, Lyons—4.

Absent or not voting:

None.

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

Senator Dowell moved to reconsider the vote by which Senate file No. 74 passed, and that the motion to reconsider be laid upon the table.

Carried.

The Journal of yesterday was taken up, corrected and approved.

Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday, March 15, 1906.

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. Wm. B. Thompson, of Bedford, Iowa.

PETITIONS AND MEMORIALS.

Senator Smith of Mitchell presented petition of voters of Winnebago county in favor of Reciprocal Demurrage bill.

Referred to committee on Railroads.

Senator Spaulding presented petition of citizens of Floyd county, Iowa, favoring the "Binding Twine bill."

Referred to committee on Ways and Means.

Senator Spaulding presented petition of ladies of Fredericksburg in favor of the Legislature giving the women of the State Presidential Suffrage.

Referred to committee on Constitutional Amendments and Suffrage.

Senator Lyons presented petition of one hundred and nineteen residents of Howard and Winnesheik counties favoring the repeal of the law enacted by the Twenty-eighth General Assembly which imposed a tax of one per cent on the receipts of all the Co-operative Associations.

Referred to committee on Insurance.

Senator Gale presented petition of business men of Franklin county in favor of the "Exemption bill" introduced in the House.

Referred to committee on Ways and Means.

Senator Hasselquist presented petition of residents of Lucas county favoring a bill prohibiting the playing of base ball upon the Sabbath.

Referred to committee on Judiciary.

Senator Crossley presented petition of retail merchants of Winterset in favor of the Exemption bill.

Referred to committee on Ways and Means.

Senator Jackson presented petition of citizens of Correctionville favoring House bill No. 317, a bill to repeal the tax on Mutual Farmers' Insurance Associations.

Referred to committee on Insurance.

INTRODUCTION OF BILLS.

By Senator Courtright, Senate file No. 299, a bill for an act to amend the law as it appears in section six hundred seventy-four (674) of the supplement to the code, relative to the compensation of assessors.

Read first and second time and referred to committee on Compensation of Public Officers.

By Senator Courtright, from the special committee on Tenure of Office, Senate file No. 300, a bill for an act to amend section ten hundred seventy-six (1076) of the code, relative to the registration of voters.

Read first and second time and placed on the calendar.

By Senator Courtright, from the special committee on Tenure of Office, Senate file No. 301, a bill for an act to amend section twenty-six hundred forty-one (2641) of the code, relative to the reports of the State University.

Read first and second time and placed on the calendar.

By Senator Courtright, from the special committee on Tenure of Office, Senate file No. 302, a bill for an act to amend the law as it appears in section twenty-six hundred fifty (2650) of the supplement to the code, relative to the State College of Agricultural and Mechanic Arts.

Read first and second time and placed on the calendar.

By Senator Courtright, from the special committee on Tenure of Office, Senate file No. 303, a bill for act to amend section twenty-six hundred eighty (2680) of the code, relative to the Normal Schools and the biennial reports to the Governor.

Read first and second time and placed on the calendar.

By Senator Courtright, from the special committee on Tenure of Office, Senate file No. 304, a bill for an act to amend section

twenty-seven hundred seventeen (2717) of the code, relative to the College for the Blind, and reports to the Governor.

Read first and second time and placed on the calendar.

By Senator Courtright, from the special committee on Tenure of Office, Senate file No. 305, a bill for an act to amend section twenty-four hundred seventy-eight (2478) of the code, and to amend the law as it appears in section twenty-four hundred eighty-three (2483) of the supplement to the code, relating to mines and mining.

Read first and second time and placed on the calendar.

By Senator Courtright, from the special committee on Tenure of Office, Senate file No. 306, a bill for an act to amend the law as it appears in section twenty-five hundred fifteen (2515) of the supplement to the code as amended by chapter eighty-eight (88) of the acts of the Thirtieth General Assembly in relation to the Dairy Commissioner, his appointment and term of office.

Read first and second time and placed on the calendar.

By Senator Courtright, from the special committee on Tenure of Office, Senate file No. 307, a bill for an act to amend section twenty-four hundred sixty-nine (2469) and to amend the law as it appears in section twenty-four hundred seventy (2470) of the supplement to the code, relating to the Bureau of Labor Statistics.

Read first and second time and placed on the calendar.

By Senator Courtright, from the special committee on Tenure of Office, Senate file No. 308, a bill for an act to amend sections one (1) and nine (9) of chapter eighty-seven (87) of the acts of the Thirtieth General Assembly in relation to the inspectors of petroleum and its products.

Read first and second time and placed on the calendar.

By Senator Courtright, from the special committee on Tenure of Office, Senate file No. 309, a bill for an act to amend section twenty-six hundred twenty-five 2625) of the code, relative to Superintendent of Public Instruction and his reports.

Read first and second time and placed on the calendar.

By Senator Courtright, from the special committee on Tenure of Office, Senate file No. 310, a bill for an act to repeal section one hundred seventeen (117) of the code, and enact a substitute therefor, relative to the Public Printer and Binder.

Read first and second time and placed on the calendar.

By Senator Turner, Senate file No. 311, a bill for an act making an appropriation for the Iowa State College of Agriculture and Mechanic Arts, the State University and the State Normal Schools.

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

Senator Crawford presented the following communication which was read and ordered printed in the Journal:

Mrs. Henderson and family wish to thank the donors of the beautiful floral wreath, "Iowa's Tribute" that came to give color and brightness to a dark day of gloom, when their friend and comrade, the Hon. D. B. Henderson of Iowa, was laid in his last resting place.

Dubuque, March 13, 1904.

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 bill in which the concurrence of the House was asked:

House file No. 333, a bill for an act to amend section sixteen hundred fifty-seven (1657), chapter three (3) of the supplement to the code, relating to salary of Secretary of Agricultural Society.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

House file No. 364, a bill for an act to repeal section ten hundred sixty-eight (1068) of the code and to enact substitute therefor in lieu thereof.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

House file No. 334, a bill for an act to repeal section ten hundred seventy-two (1072) of the code and to enact a substitute therefor relating to the term of office of county officers.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

House file No. 303, a bill for an act to amend the law as it appears in chapter sixty-eight (68) of the acts of the Thirtieth General Assembly, relating to levees, drains, and water courses.

C. R. BENEDICT,
Chief Clerk

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 House was asked:

House file No. 263, a bill for an act in regard to the admission of wives of soldiers to the Soldiers' Home at Marshalltown.

C. R. BENEDICT,
Chief Clerk.

Also:

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

A concurrent resolution calling for information from the Governor.

C. R. BENEDICT,
Chief Clerk.

Senator Crawford moved that the concurrent resolution relative to commissioners being appointed to represent the United States at Hague conference, and the duties of same, be adopted.

Adopted.

HOUSE MESSAGES CONSIDERED.

House file No. 323, a bill for an act to amend section sixteen hundred fifty-seven-n (1657-n), chapter three (3) of the supplement to the code, relating to salary of Secretary of Agricultural Society.

Read first and second time and referred to committee on Agriculture.

House file No. 364, a bill for an act to repeal section ten hundred sixty-eight (1068) of the code and to enact a substitute therefor in lieu thereof.

Read first and second time and referred to committee on Tenure of Office.

House file No. 334, a bill for an act to repeal section ten hundred seventy-two (1072) of the code and to enact a substitute therefor relating to the term of office of county officers.

Read first and second time and referred to committee on Tenure of Office.

House file No. 303, a bill for an act to amend the law as it appears in chapter sixty-eight (68) of the acts of the Thirtieth General Assembly, relating to levees, drains, and water courses.

Read first and second time and referred to committee on Agriculture.

House file No. 263, a bill for an act in regard to the admission of wives of soldiers to the Soldiers' Home at Marshaltown.

Read first and second time and referred to committee on Military.

House file No. 225, a bill for an act to amend section twenty-six hundred four (2604) of the code in relation to salary of Commandant of the Iowa Soldiers' Home.

Read first and second time and referred to committee on Military.

House file No. 86, a bill for an act to require and regulate the registration of births and deaths in the State of Iowa and to repeal sections twenty-five hundred sixty-six (2566) and twenty-five sixty-seven (2567) of the code, and to repeal chapter one hundred (100) laws of the Thirtieth General Assembly.

Read first and second time and referred to committee on Public Health.

House concurred in Senate amendment to House file No. 246, a bill for an act to legalize the incorporation of the town of Jamaica, Guthrie County, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the council of said town.

Ordered passed on file.

House concurred in Senate amendments to House file No. 198, a bill for an act to repeal section seventeen hundred eighty-four (1784) of the supplement to the code relating to assessment life insurance associations and enact substitute therefor.

Ordered passed on file.

Senate concurrent resolution calling for information from the Governor.

Ordered passed on file.

Senate file No. 44, a bill for an act to amend section eighty-eight (88) of the code relating to the clerk of the land office.

Ordered passed on file.

Senate joint resolution No. 3, joint resolution directing the Governor of the State of Iowa to invite the Governors of the several states to name representatives to an interstate convention, to be held at Des Moines, Iowa, or elsewhere, for the purpose of securing such action on the part of the several states as will result in a constitutional convention for the proposal of an amendment to the constitution providing for the election of United States Senators by a direct vote.

Ordered passed on file.

The President announced that he had signed in the presence of the Senate, Senate files Nos. 43, 190, 154, 156, 133, 164, 167 and 163.

REPORTS OF COMMITTEES.

Senator Crossley, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools, to whom was referred Senate file No. 214 a bill for an act to provide for the organization of consolidated independent districts (additional to title thirteen (XIII), chapter fourteen (14) of the code), beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JAMES J. CROSSLEY,
Chairman.

Ordered passed on file.

Senator Courtright from the special committee on Tenure of Office, submitted the following report:

MR. PRESIDENT—Your committee on Tenure of Office to whom was referred Senate file No. 1, a bill for an act to amend section one hundred ninety-three (193) of the code, and to provide for the chief justiceship of the Supreme Court 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 do pass.

O. B. COURTRIGHT,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Tenure of Office, to whom was referred House file No. 332, a bill for an act to amend section ten hundred ninety-three (1093) of the code, relating to election 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 same be amended as follows:

Insert before the first word of the first line of said bill the word and figure "section 1".

And when so amended the bill do pass.

O. B. COURTRIGHT,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Tenure of Office to whom was referred House file No. 331, a bill for an act to amend section one hundred forty-six (146) of the code, relating to the term of office of the custodian of public buildings beg leave to report that they have had the same under consideration and have instructed me to report the same back the Senate with the recommendations that the same be amended by adopting the following substitute therefor:

Section 1. Section one hundred forty-six (146) of the code is hereby amended by striking therefrom, commencing with the first word of said section and ending with the word "year" in the third line thereof, the following:

"His term of office shall be for two years, which shall expire on the 31st day of March of each even-numbered year," and by enacting in lieu thereof the following:

"The term of of office of the custodian of public buildings and property, appointed by the governor, with the advice and consent of the Senate, for the biennial period commencing on the first day of April, 1906, shall expire on the 31st day of March, 1907. Thereafter his term of office shall be tor two years, which shall expire on the 31st day of March of each odd-numbered year."

And when so amended the bill do pass.

O. B. COURTRIGHT,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Tenure of office to whom was referred House file No. 330, a bill for an act to repeal sections one thousand fifty-seven (1057), one thousand sixty-four (1064), one thousand sixty-five (1065), one thousand sixty-six (1066), one thousand seventy (1070), one thousand,

seventy-one (1071), and to enact substitute therefor, relating to the election of officers and to terms of 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 the same be amended as follows:

Before the first line of the bill insert the word and figure "Section 1."

Strike from the first line of the second section the figures "1057" and inser in lieu thereof the figure "2".

Strike from the first line of the third section the figures "1064", and insert in lieu thereof the figure "3".

Strike from the first line of the fourth section the figures "1066", and insert in lieu thereof the figure "4".

Strike out all of said fourth section after the word "years" in the fourth line thereof.

Strike from the first line of the fifth section the figures "1070", and insert in lieu thereof the figure "5".

Strike from the first line of the sixth section the figures "1071", and insert in lieu thereof the figure "6", and when so amended the bill do pass.

O. B. COURTRIGHT,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Tenure of Office to whom was referred House file No. 329, a bill for an act to amend section one hundred twenty-two (122) of the code, relating to biennial reports of officers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Insert before the first line of the bill the word and figure "Section 1".

And when so amended the bill do pass.

O. B. COURTRIGHT
Chairmon.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Tenure of Office, to whom was referred House file No. 328, a bill for an act to repeal section one hundred twenty-three (123), and the same is found in the supplement to the code, and to enact a substitute therefor, relating to the biennial fiscal term, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Strike out the first three lines of the bill, and the word and figures "Section 123" at the beginning of the fourth line, and insert in lieu thereof the following:

"Section 1. The law as it appears in section 123 of the supplement to the code is hereby repealed, and the following enacted in lieu thereof:", and when so amended that the bill do pass.

O. B. COURTRIGHT,
Chairman.

Ordered passed on file.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate file No. 275, a bill for an act making appropriation for the equipment of a laboratory for the office of the Food and Dairy Commissioner beg leave to report that 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.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate file No. 169 a bill for an act appropriating the sum of one thousand dollars ($1,000) to be paid to Lena Ness, guardian of Andrew T. Ness, for the use and benefit of Andrew T. Ness in settlement of all claims against the State of Iowa by reason of injury to Andrew T. Ness and damages resulting therefrom in the loss of a leg and for the pain and suffering resulting from said injury, said injury occurring while the said Andrew T. Ness was detained in the State 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 same be amended as follows:

In line five, section three of the original bill insert after the word "receipt" the words: "duly authorized by court," and when so amended the bill do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDNET—Your committee on Appropiations to whom was referred Senate file No. 181, a bill for an act for the appointment of state agents for the Industrial School and the Soldiers Orphans Home, defining their duties and making an appropriation for their salaries and expenses and to repeal chapter one hundred fifty-seven (157) of the acts of the Thirtieth General Assembly and other acts in conflict with this act beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate file No. 182, a bill for an act providing for the adoption and contract for the care and protection of children of the Iowa Soldiers' Orphans' Home and to repeal sectton twenty-six hundred ninety (2690) of the code and other acts and parts of acts in conflict with this act, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate file No. 183, a bill for an act to repeal section twenty-seven hundred four (2704) of the supplement to the code, and to enact a substitute therefor relating to the placing under contract of boys and girls from the Industrial School, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 268, a bill for an act appropriating money to pay the expense of the members of the Iowa Shiloh Battlefield Monument Commission, the Iowa Vicksburg Park Monument Commission, the Iowa Lookout Mountain and Missionary Ridge Monument Commission, and the Iowa Andersonville Monument Commission, and their guests, upon a joint visit to the several fields upon which monuments have been erected under their suspervison for the purpose of dedicating 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 same do pass.

WARREN GARST
Chairman.

Ordered passed on file.

Senator Courtright, 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 amendatory to section seven hundred ninety-two (792) of chapter seven (7) of title five (5) of the code

of Iowa, 1897, beg leave to report that 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.

O. B. COURTRIGHT,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns to whom was referred Senate file No. 293, a bill for an act to amend section seven hundred ninety-two (792) of the code so as to provide for the grading of streets at the expense of the abutting property owners, beg leave to report that 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.

O. B. COURTRIGHT,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR: PRESIDENT: Your committee on Cities and Towns to whom was referred House file No. 196, a bill for an act in relation to penalty on unpaid taxes in cities acting under special charter, beg leave to report that they have had the same under consideration and have instucted me to report the same back to the Senate with the recommendation that the same do pass.

O. B. COURTRIGHT,
Chairman,

Ordered passed on file.

Also:

MR. PRESIDENT:—Your committee on Cities and Towns to whom was referred Senate file No. 258 a bill for an act granting additional powers to cities of the first-class in levying taxes and providing means for the making, reconstruction or repair of main sewers, and making certain parts of the code applicable 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 same be indefinitely postponed.

O. B. COURTRIGHT,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns to whom was referred House file No. 286, a bill for an act to amend section nine hundred

twenty-two (922), nine hundred twenty-three (923), and nine hundred twenty-four (924) of the code relating to the platting of land by the 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 same be amended as follows:

Strike out in section one (1) the following words: "The law as it appears in."

Strike out in the third line of section two (2) the following words and figures: "Section 923. Platting for assessment and taxation."

Strike out in section three (3) the words, "the law as it appears in," and when so amended the bill do pass.

O. B. COURTRIGHT,
Chairman.

Ordered passed on file.

Senator Stuckslager from the committee on Banks and Banking submitted the following report:

MR. PRESIDENT—Your committee on Banks and Bauking to whom was referred Senate file No. 269, a bill for an act to define and regulate private 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 same do pass.

W. C. STUCKSLAGER,
Chairman.

Ordered passed on file.

Senator Brooks, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture to whom was referred Senate file No. 151, a bill for an act to provide for extension work by the Iowa State College of Agriculture and Mechanic Arts, and for investigations and experimental work by the Agricultural Experiment Station and to make appropriations therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass, and with further recommendations that the same be referred to the committee on Appropriations.

JOHN T. BROOKS,
Chairman.

Adopted and the bill referred to the committee on Appropriations.

Also:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred Senate file No. 172, a bill for an act to encourage the planting of forest and fruit trees 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 same be referred to the committee on Horticulture and Forestry.

JOHN T. BROOKS,
Chairman.

Adopted and the bill referred to committee on Horticulture and Forestry.

Senator Dowell, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT: Your committee on Judiciary, to whom was referred Senate file No. 250, a bill for an act to legalize the making of certain plats made by the county auditors of Iowa and the recording of the same by the county recorders of Iowa and to legalize the descriptions of land in all instruments, conveyances and incumbrances referring 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 same be amended as follows:

"That section two (2) be amended by striking out all after the words "That" in the first line thereof down to the word "or" in the second line and inserting in lieu thereof the following: "all instruments, conveyances and incumbrances", an when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No 111, a bill for an act to amend the law as it appears in section forty-nine hundred ninety-nine -b (4999-b) of the supplement to the code, relating to the safeguarding of machinery, beg leave to report that 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.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 227 a bill for an act to legalize the paving of the alleys in blocks numbers twenty-seven (27), fifty (50), and fifty-one (51) in the city of Keokuk, 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.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 286 a bill for an act to legalize the incorporation of the town of Osterdock in Clayton county, Iowa, and to legalize 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 same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 274 a bill for an act to amend chapter five (5) of title twenty-four (XXIV) of the code, relating to larceny, beg leave to report that 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. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 100 a bill for an act punishing any person who shall ask, request, or solicit another to have carnal knowledge with any female, for a considcration or otherwise, beg leave to report that 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. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 236, a bill for an act to amend section four hundred twenty-four (424) of the code, relating to building of county bridges by contract, beg leave to report that 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.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

MR. PRESIDENT:—Your committee on Judiciary to whom was referred Senate file No. 77, a bill for an act amending section thirty-one hundred eighty-one (3181) of the code, relating to divorce, beg leave to report that 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.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 7 a bill for an act to amend section thirty-four hundred ninety-six (3496) of the code, relating to the jurisdiction of Justices of the Peace and their 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 same be amended by adding thereto as section two the following.

Section 2. Section forty-four hundred eighty-one (4481) of the code is hereby amended by inserting after the word "action" and before the word "may" in the second line thereof the following: "Against a resident of the county," and when so amended the bill to pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 229, a bill for an act to amend section twenty-four hundred thirty-nine (2439) of the code, relative to the collection of the Mulct Tax, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
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 legalize the acts and resolutions passed by the Board of Supervisors of Calhoun county, Iowa, allowing certain persons appointed to collect delinquent personal tax, a commission in addition to the five per cent provided by statute, beg leave to report that 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. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 306, a bill for an act to amend section forty-one hundred fourteen (4114) of the code relating to notice of appeal, beg leave to report that 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. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 112 a bill for an act to amend section one thousand fifteen (1015) of the code, relating to lein of taxes in cities under special charter, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed-

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No 275, a bill for an act to amend section seven hundred twenty-two (722) of the code, relative to the condemnation of property by cities and towns, for the purpose of constructing and maintaining dams across the waters and water courses of the state, in forming reservoirs and sources of water to supply water works 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 the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 280, a bill for an act relating to proceedings in criminal offenses on information without the intervention of the Grand Jury; additional to chapter one (1) title twenty-five (25) of the code, beg leave to report that they have had the same under consideration and have instructed

me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 203 a bill for an act to amend section four hundred ninety-eight (498) of the code requiring county recorders to keep a fee book and make a permanent record of all fees charged, beg leave to report that 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. C. DOWELL,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Turner, from the committee on enrolled bills, submitted the following report:

MR, PRESIDENT: Your committee on enrolled bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 163, a bill for an act prohibiting manipulation of the Babcock test and providing punishment therefor.

Also:

Senate file No. 156, a bill for an act to amend sections forty-nine hundred eighty-nine (4989) and forty-nine hundred ninety (4990) of the code, relative to the sale of adulterated milk or cream.

Also:

Senate file No. 133, a bill for an act to grant and relinquish to the city of Council Bluffs, Iowa, the title of the State of Iowa in and to Big or Spring Lake located in Pottawattamie county, Iowa.

Also:

Senate file No. 164, a bill for an act to grant and relinquish to the city of Council Bluffs, Iowa, the title of the State of Iowa, in or to the meandered Lake known as "Carr" Lake.

Also:

Senate file No. 167, a bill for an act making appropriation for the erection of a monument in Elm Grove Cemetery, Washington, Iowa, over the grave of Timothy Brown, a soldier of the Revolutionary War.

Also:

Senate file No. 43, a bill for an act to amend sections eleven hundred six (1106), eleven hundred nine (1109), eleven hundred nineteen (1119,) eleven hundred twenty (1120), and eleven hundred twenty-one (1121) of the code

and sections eleven hundred six (1106) and eleven hundred nineteen (1119 of the supplement to the code, relating to elections, form of, and manner of marking ballots.

Also:

Senate file No. 190, a bill for an act to legalize the action of the Board of Supervisors and other officers of Jasper County, Iowa, so far as they relate to the establishment of a certain public highway in Kellogg township, Jasper county, Iowa.

Also:

Senate file 154, a bill for an act to amend section forty hundred twenty-five (4025) of the code in relation to notice to defendant in sales under execution.

D. W. TURNER,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turner from the joint committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your joint committee on enrolled bills respectfully report that they have examined and find correctly enrolled, Senate file No. 167, a bill for an act making appropriation for the erection of a monument in Elm Grove Cemetery, Washington, Iowa, over the grave of Timothy Brown, a soldier of the Revolutionary War.

Also:

Senate file No. 43, a bill for an act to amend sections eleven hundred six (1106), eleven hundred nine (1109), eleven hundred nineteen (1119), eleven hundred twenty (1120), and eleven hundred twenty-one (1121), of the code relating to elections, form of, and manner of marking the ballots, and to amend the law as it appears in sections eleven hundred six (1106), and eleven hundred nineteen (1119) of the supplement to the code, relating to same.

Also:

Senate file No. 190, a bill for an act to legalize the action of the Board of Supervisors and other officers of Jasper County, Iowa, as far as they relate to the establishment of a certain public highway in Kellogg Township, Jasper County, Iowa.

Also:

Senate file No. 154, a bill for an act to amend section forty hundred twenty-five (4025) of the code in relation to notice to defendant in sales under execution.

Also:

Senate file No. 163, a bill for an act prohibiting manipulation of the Babcock test and providing punishment therefor.

Also:

Senate file No. 156, a bill for an act to amend sections forty-nine hundred eighty-nine (4989) ann forty-nine hundred ninety (4990) of the code, relative to the sale of adulterated milk or cream.

Also:

Senate file No. 133, a bill for an act to grant and relinquish to the city of Council Bluffs, Iowa, the title of the State in and to Big or Spring Lake located in Pottawattamie county, Iowa.

Also:

Senate file No. 164, a bill for an act to grant and relinquish to the city of Council Bluffs, Iowa, the title of the state of Iowa, in or to the meandered lake known as "Carr" Lake.

D. W. TURNER,
Chairman Senate Committee.
H. L. SPAULDING,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate file No, 163, a bill for an act prohibiting manipulation of the Babcock test and providing punishment therefor.

Also:,

Senate file 156, a bill for an act to amend sections forty-nine hundred eighty-nine (4989) and forty-nine hundred ninety (4990) of the code, relative to the sale of adulterated m k or cream.

Also:

Senate file 133, a bill for an act to grant and relinquish to the city of Council Bluffs, Iowa, the title of the State in and to Big or Spring Lake located in Pottawattamie county, Iowa.

Also:

Senate file No. 164, a bill for an act to grant and relinquish to the city of Council Bluffs, Iowa, the title of the State of Iowa, in or to the meandered lake known as "Carr" Lake.

Also:

Senate file 167, a bill for an act making appropriation for the erection of a monument in Elm Grove Cemetery, Washington, Iowa, over the grave of Timothy Brown, a soldier of the Revolutionary War,

Also:

Senate file 43, a bill for an act to amend sections eleven hundred six (1106), eleven hundred nine (1109), eleven hundred nineteen (1119), eleven hundred twenty (1120) and eleven hundred twenty-one of the code relating to elections, form of, and manner of marking the ballots, and to amend the

law as it appears in sections eleven hundred six (1106) and eleven hundred nineteen (1119) of the supplement the the code, relating to the same.

Also:

Senate file No. 190, a bill for an act to legalize the action of the Board of Supervisors of Jasper county, Iowa, as far as they relate to the establishment of a certain public highway in Kellogg township, Jasper county, Iowa.

Also:

Senate file No. 154, a bill for an act to amend section forty hundred twenty-five (4025) of the code in relation to notice to defendant in sales under execution,

D. W. TURNER,
Chairman.

Senator Ericson asked unanimous consent to refer Senate file No. 17 to the committee on Appropriation and that it retain its place on the calendar.

Consent granted.

The Journal of March 13th was taken up, corrected and read.

Senator Courtright moved that when the Senate adjourn at noon it be until 2 o'clock P. M.

Carried.

THIRD READING OF BILLS.

Senate file No. 189, a bill for an act to create a Board of Regents for the State University, the College of Agriculture and Mechanics Arts and the Normal School and to prescribe its duties and to provide for the management and control of the State University, the College of Agriculture and Mechanic Arts and the Normal School, to make appropriations therefor and to define certain offenses and provide penalties therefor, and to repeal sections twenty-six hundred seventeen (2617), twenty-six hundred eighteen (2618), twenty-six hundred nineteen (2619), twenty-six hundred twenty (2620), twenty-six hundred thirty-five (2635), twenty-six hundred thirty-six (2636), twenty-six hundred forty-two (2642), twenty-six hundred forty-six (2646), twenty-six hundred forty-seven (2647), twenty-six hundred fifty (2650), twenty-six hundred fifty-one (2651), twenty-six hundred fifty-two (2652), twenty-six hundred fifty-three (2653), twenty-six hundred sixty-eight (2668), twenty-six hundred sixty-nine (2669), twenty-six hundred seventy (2670), twenty-six hundred eighty-one (2681) of the code and the law as it appears in sections twenty-seven hundred twenty-seven-a-fifty-three

(2727-a-53), twenty-seven hundred twenty-seven-a-fifty-four (2727-a-54), twenty-seven hundred twenty-seven-a-fifty-five (2727-a-55), twenty-seven hundred twenty-seven-a-fifty-six (2727-a-56), of the supplement of the code, and to repeal all acts and parts of acts inconsistent with this act with report of committee recommending a substitute and passage was taken up, considered, and the report of the committee adopted.

Senator Whipple moved that the substitute recommended by the committee be substituted for the original bill.

Carried.

The President announced that he had signed in the presence of the Senate, House files Nos. 58, 107, 190, 197, and 250.

Senator Young, of Lee moved that the Senate do now adjourn.

Carried.

Senate stood adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M. President Herriott presiding,

The Senate resumed consideration of substitute for Senate file No. 189 which was under consideration at adjournment this morning.

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 concurrent resolution, in which the concurrence of the Senate is asked:

HOUSE CONCURRENT RESOLUTION.

MEMORIAL by the Thirty-first General Assembly of the State of Iowa to the Congress of the United States with reference to the pensioning of troops in the service of the state of Iowa, rendering service upon behalf of the general government during the war of the Rebellion,

WHEREAS, Pursuant to certain statutes enacted by the General Assembly of this state, and found in chapters one (1), six (6), seventeen (17) and eighteen (18) of the laws of the extra session of the Ninth General Assembly the Governor did organize, muster and cause to be equipped, certain troops known as the "Northwestern Border Brigade," for service against hostile Indians then engaged in an outbreak against the authority of the United States government in which settlers upon the frontiers of this and other

northwestern states were being massacred and other depredations committed; and certain other troops known as the "Southern Border Brigade," for service against armed bodies of regularly organized troops and guerillas then in rebellion against the United States government; and,

WHEREAS, Some of the said organizations thus organized, mustered, and equipped were actively engaged for a considerable period of time in the service for which they were organized and provided, and which said service was arduous and trying, and in which was manifested the same degree of bravery and discipline universally characterizing the conduct and service of all American troops; and,

WHEREAS, The said service was of the nature and character, which would have required the service of United States troops if same had been available, and was of the same benefit and use to the general government as if such troops had been regularly mustered into the service of the United States.

WHEREFORE, The Thirty-first General Assembly of the State of Iowa, by concurrent action of the House of Representatives and Senate, does hereby respectfully memorialize Congress to enact such legislation as will enable the members of said Northwestern Border Brigade and Southern Border Brigade to be placed upon the pension rolls of the United States, upon same terms and conditions for such service as though the said service had been rendered by troops regularly mustered into the United States service.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 358, a bill for an act to legalize certain instruments executed by corporations affecting the title to real estate.

C. R. BENEDICT,
Chief Clerk.

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:

House file No, 219, a bill for an act to authorize boards of supervisors to hear and allow claims of damages on account of sheep killed or injured by a dog or dogs and providing for payment of same,

C. R. BENEDICT.
Chief Clerk.

Also:

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

House file No. 375 , bill for an act to legalize the incorporation of the town of Portsmouth, Shelby county, Iowa, the election of its officers and the adoption of its ordinances and resolutions and all acts done by the council of said town.

C. R. BENEDICT,
Chief Clerk.

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:

House file 267, a bill for an act to amend the law as it appears in section twenty-six hundred four (2604) of the supplement to the code, relating to officers of the Iowa Soldiers Home.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 157, a bill for an act defining the powers of the State Food and Dairy Commissioner, his deputy and assistants.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 376, a bill for an act to legalize the incorporation of the town of Schleswig, Crawford County, Iowa, the election of its officers and all acts done and ordinances passed by the town Council of said town.

C. R. BENEDICT,
Chief Clerk.

MR. PRESIDENT—I am directed to inform yourhonorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 48, a bill for an act to legalize the acts of the Board of directors and electors and authorize the issuing of $40,000 in school building bonds in the Independent School district of Lyons City, Clinton County and validate said bonds.

C. R. BENEDICT,
Chief Clerk.

Senator Lyons moved to adjourn until 9 o'clock A. M., tomorrow.

Carried.

Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, March 16, 1906.

Senate met pursuant to adjournment at 9 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. Wm. B. Thompson of Bedford, Iowa.

PETITIONS AND MEMORIALS.

Senator Lambert presented petition of business men of Miles, Iowa, favoring the passage of the Exemption bill known as House file No. 183.

Referred to committee on Ways and Means.

Senator Lambert presented petition of business men of Sabula, Iowa, asking the passage of the Exemption bill known as House file No. 183.

Referred to committee on Ways and Means.

Senator Ericson presented petition of business men of Roland, Iowa, asking the passage of the Exemption bill known as House file No. 183.

Referred to committee on Ways and Means.

Senator Hughes presented petition of business and professional men of his district urging the passage of the Exemption bill known as House file No. 183.

Referred to committee on Ways and Means.

Senator Hartshorn presented petition of the business men of Ackley, Williams and New Providence, Hardin county, Iowa, urging the passage of the Exemption bill known as House file No. 183.

Referred to committee on Ways and Means.

Senator Hartshorn presented petition of numerous voters of Wright county urging the passage of the Reciprocal Demurrage bill.

Referred to committee on Judiciary.

Senator Taylor presented petition of druggists of Appanoose county, Iowa, protesting against the passage of House file No. 211 and Senate file No. 148.

Referred to committee on Public Health.

Senator Hughes presented petition of the business and professional men of Tiffin, Iowa, urging the passage of the Exemption bill known as House file No. 183.

Referred to committee on Ways and Means.

Senator Molsberry presented petition of business men of Nichols, Iowa, favoring the passage of the Exemption bill known as House file No. 183.

Referred to committee on Ways and Means.

INTRODUCTION OF BILLS.

By Senator Young of Calhoun, Senate file No. 312, a bill for an act providing for the creation of a hospital board in cities having a population over twelve thousand five hundred and providing for the construction and maintaining of a hospital therein, and authorizing the creation of an indebtedness thereof, and the levy of a tax upon the property in such cities and towns for the payment of said indebtedness and providing certain conditions under which an indebtedness for this purpose may in cities of the second class exceed one and one-fourth per centum of the actual valuation of property in such cities.

Read first and second time and referred to committee on Public Health.

By Senator Kinne, Senate file No. 313, a bill for an act to amend section twenty-seven hundred fifty-eight (2758) of the code relative to the qualification of school directors.

Read first and second time and referred to committee on Schools.

HOUSE MESSAGES CONSIDERED.

Senate file No. 48, a bill for an act to legalize the acts of the board of directors and electors and authorize the issuing of $40,000 in school building bonds in the Independent School District of Lyons City, Clinton county, and validate said bonds.

Ordered passed on file.

House file No. 376, a bill for an act to legalize the incorporation of the town of Schleswig, Crawford county, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town.

Read first and second time and referred to committee on Judiciary.

House file No. 267, a bill for an act to amend the law as it appears in section twenty-six hundred four (2604) of the supplement to the code relating to officers of the Iowa Soldiers' Home.

Read first and second time and referred to committee on Military.

House file No. 375 a bill for an act to legalize the incorporating of the town of Portsmouth, Shelby county, Iowa, the election of its officers and the adoption of its ordinances and resolutions, and all acts done by the council of said town.

Read first and second time and referred to committee on Judiciary.

House file No. 219, a bill for an act to authorize boards of supervisors to hear and allow claims of damages on account of sheep killed or injured by a dog or dogs and providing for payment of same.

Read first and second time and referred to committee on Agriculture.

House file No. 358, a bill for an act to legalize certain instruments executed by corporations affecting the title to real estate.

Read first and second time and referred to committee on Judiciary.

Senate file No. 157, a bill for an act defining the powers of the State Food and Dairy Commissioner, his deputy and assistants.

Ordered passed on file.

Concurrent resolution memorializing Congress of the United States with reference to the pensioning of troops in the service of the State of Iowa rendering service upon behalf of the general government during the War of the Rebellion.

Read first and second time and referred to committee on Military.

Senator Harper asked unanimous consent that House file No. 225 be referred to the committee on Compensation of Public Officers instead of the committee on Military.

Consent granted.

REPORT OF COMMITTEE.

Senator Courtright, 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. 134, a bill for an act to amend the law as it appears in section seven hundred forty-five (745) of the code supplement, relating to the purchase and erection of waterworks by cities and conferring additional powers with reference thereto in 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 the same be amended by adopting the substitute herewith submitted therefor and when so amended the bill do pass.

O. B. COURTRIGHT,
Chairman.

Ordered passed on file.

SUBSTITUTE FOR SENATE FILE NO. 134.

A BILL for an act to amend the law as it appears in section seven hundred forty-five (745) of the supplement to the code, relating to the purchase or erection of waterworks by cities and conferring additional powers with reference thereto.

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

Section 1. The law, as it appears in section seven hundred forty-five (745) of the code, is hereby amended by adding thereto the following: "Cities of the first class organized as such since the first of January, 1881, which have adopted or may adopt an ordinance availing themselves of the privileges conferred herein, shall in addition thereto have and possess the following powers:

A In addition to mortgage on the water plant to secure the bonds herein before authorized, the said city may, in addition to the security of said mortgage and as a part thereof, grant a franchise to maintain and operate said water plant to inure to the benefit of any purchaser of said plant on foreclosure sale under said mortgage, said franchise to become effective only on the passing of title under the said foreclosure sale and to continue for a period of not exceeding twenty-five (25) years thereafter,

Providing that the granting of such franchise shall be approved by a majority of the electors of said city, which election shall be held as provided in section seven hundred forty-six (746), supplement of the code.

B They shall have power to issue the general bonds of the city creating an indebtedness of said city to an amount which, with its other existing indebtedness, shall not exceed five per cent. of the actual value of the

taxable property of said city, as shown by the last preceding assessment. The said bonds or proceeds of the sale thereof to be used in the purchase or construction of a water-plant, as herein provided.

Provided, however, that such bonds can be issued by order of the city council of said city only after a contract for the purchase or construction of a water plant and providing for the issuance of such bonds has been approved by the majority of the electors of said city, at an election to be held in accordance with the provisions of section seven hundred forty-six (746), supplement to the code.

Neither the said bonds nor the proceeds thereof shall be diverted to an other purpose than as herein provided.

Said cities may purchase or construct a water plant and pay for the same partly out of the water bonds and partly out of the general bonds herein provided, or wholly out of either class of bonds or proceeds thereof, as such city may determine.

The general bonds of the city herein provided shall bear interest at not exceeding five per cent per annum, payable semi-annually, and shall be payable not more than twenty (20) years after date and in the general form of bonds provided by section four hundred three (403) of the code, with such changes as may be necessary to conform the same to this statute and the ordinances or contracts of the city under which they are issued.

Section 2. All acts and parts of acts, so far as the same are in conflict with the foregoing are hereby repealed.

Section 3. This act, being deemed of immediate importance, shall be in effect from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in the city of Des Moines, Iowa.

The substitute was read first and second time.

Senator Eckles, from the committee on Claims, submitted the following report:

MR. PRESIDENT—Your committee on Claims to whom was referred Senate file No. 298, a bill for an act for the relief of W. J. McAhren, and making an appropriation of one hundred and fifty-one and ninety-one hundredths dollars 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 and that the same be referred to the committee on Appropriations.

CHAS. ECKLES,
Chairman.

Adopted and the bill referred to the committee on Appropriations.

Also:

MR. PRESIDENT—Your committee on Claims to whom was referred Senate file No. 198 a bill for an act appropriating the sum of two hundred seventy-eight dollars, twenty-one cents ($278.21) to be paid to Crawford

county in settlement of claims against the State of Iowa by reason of expense incurred in the transporting of Russell Gifford and William Butterworth, insane persons, out 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 do pass, and that the same be referred to the committee on Appropriations.

CHAS. ECKLES,
Chairman.

Adopted and the bill referred to the committee on Appropriations.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Turner from the committee on Enrolled Bills submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled Senate file No. 44, a bill for an act to amend section eighty-eight (88) of the code, relating to the clerk of the State Land Office.

Also:

Joint resolution No. 3, directing the Govornor of the State of Iowa to invite the Governors of the several states to name representatives to an inter state convention, to be held at Des Moines, Iowa, or elsewhere, for the purpose of securing such action on the part of the several states as will result in a constitutional convention for the proposal of an amendment to the constitution providing for the election of United States Senators by a direct vote.

D. W. TURNER,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turner from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 44 a bill for an act to amend section eighty-eight (88) of the code relating to the clerk of the State Land Office.

Also:

Senate joint resolution No. 3, directing the Governor of the State of Iowa to invite the Governors of the several states to name representatives to an interstate convention, to be held at Des Moines, Iowa, or elsewhere, for the purpose of securing such action on the part of the several states as will

result in a constitutional convention for the proposal of an amendment to the constitution providing for the election of United States Senators by direct vote.

D. W. TURNER,
Chairman Senate Committee.

H. L. SPAULDING,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE.

Senator Jamison, 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 House joint resolution No. 1, proposing an amendment to the constitution of the state of Iowa additional to section eighteen (18) of article one (1) of said constitution, beg leave to report that 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.

JAS. H. JAMISON,
Chairman.

Ordered passed on file.

Senator Hasselquist offered the following resolution and moved its adoption:

MR. PRESIDENT—WHEREAS, Dr. James D. Wright, an honored member representing the Fifth District of Iowa in the Twelfth and the Sixth District of Iowa in the Thirteenth General Assemblies in this Senate and

WHEREAS, Dr. James D. Wright departed this life at his home in Chariton, Iowa, on the 26th day of December, 1905, therefore be it

Resolved, That the President of the Senate appoint a committee of three to prepare and submit to the Senate appropriate resolutions in memory of the late Dr. James D. Wright.

Adopted.

The President announced that he had appointed as the committee to prepare and submit to the Senate appropriate resolutions in memory of the late Dr. James D. Wright, Senators Hasselquist, Jamison and Stookey.

The Senate resumed consideration of substitute for Senate file No. 189, which was under consideration at adjournment yesterday.

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 bill in which the concurrence of the House was asked:

Senate file No. 187, a bill for an act to amend divisions twenty (20) of section four hundred twenty-two (422) of the code, relating to the powers of the board of supervisors.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 216, a bill for an act to legalize conveyance of real estate by executors, administrators and guardians in certain cases.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 91, a bill for an act to repeal the law as it appears in section twenty-five hundred seventy-a (2570-a) of the supplement to the code and chapter ninety-eight (98), laws of the Thirtieth General Assembly relating to quarantine, the care of infected persons and the payment of expenses incurred thereby and to enact a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

The President announced that he had signed in the presence of the Senate, Senate file No. 44 and Senate joint resolution No. 3.

Senator Lambert moved that when adjournment is had at noon today that further consideration of substitute for Senate file No. 189 be made a special order for 10 o'clock A. M. next Tuesday.

Carried.

President pro tem Smith was called to the chair at 11:25 A. M.

President Herriott resumed the chair at 11:35 A. M.

Senator Dunham moved that further consideration of the bill be deferred until Tuesday at 10 o'clock A. M.

Carried.

THIRD READING OF BILLS.

Senate file No. 276, a bill for an act to amend section twenty-four hundred fifty (2450) of the code relating to the sale of intoxicating liquors under the mulct law, was taken up and considered.

Senator Dunham moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hopkins, Hughes, Jackson, Kimmel, Kinne, Lambert, Lewis, Molsberry, Newberry, Saunders, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun —37.

The nays were:

Crawford.—1.

Absent or not voting:

Crossley, Gale, Hasselquist, Hogue, Jamison, Jones, Lyons, Maytag, Smith of Des Moines, Wilson of Clinton, Young of Washington, Hayward.—12.

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

REPORTS OF COMMITTEES.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred a substitute for House file No. 126 a bill for an act to amend chapter one hundred one (101) of the laws of the Thirtieth General Assembly, relating to the establishing and maintaining of a State Board of Health laboratory at Iowa 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 same be amended as follows: In section one, line five of the substitute bill, strike out the words "three thousand" and the figures "3,000," and insert the words "three thousand five hundred" and the figures "3,500" in lieu thereof, and when so amended the bill do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate file No. 111, a bill for an act appropriating the sum of ($2,000) two thousand dollars to be paid to Mrs. John Stein in settlement of all claims against the State of Iowa by reason of the death of John Stein who was killed by a falling scaffold at Ft. Madison penitentiary while working under the orders of the superintendent of construction, beg leave to report that 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 amendments agreed upon by the Senate committee on Claims be adopted and when so amended the bill do pass.

WARREN GARST
Chairman.

Ordered passed on file.

Senator Stuckslager from the committee on Banks and Banking submitted the following report:

MR. PRESIDENT—Your committee on Banks and Banking to whom was referred Senate file No. 215, a bill for an act to provide for the renewal or extension of the corporate period of State and Savings 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 same do pass.

W. C. STUCKSLAGER,
Chairman.

Ordered passed on file.

MR. PRESIDENT—Your committee on Banks and Banking to whom was referred Senate file No. 263, a bill for an act providing for the state supervision of private 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 same be indefinitely postponed

W. C. STUCKSLAGER,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Banks and Banking to whom was referred Senate file No. 285, a bill for an act in relation to a lost, stolen or destroyed note, bond, bill of exchange, draft, certificate of deposit or other evidence of indebtedness and prescribing how action may be brought 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 same do pass.

W. C. STUCKSLAGER,
Chairman.

Ordered passed on file.

Senator Young of Calhoun, from the committee on Public Health submitted the following report:

MR. PRESIDENT—Your committee on Public Health to whom was referred House file No. 86, a bill for an act to require and regulate the registration of births and deaths in Iowa, and to repeal chapter one hundred (100), 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 the same do pass.

HENRY YOUNG,
Chairman.

Ordered passed on file.

Also:

MR PRESIDENT—Your committee on Public Health, to whom was referred Senate file No. 221. a bill for an act to define vaccination, and relating to 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 the same do pass.

HENRY YOUNG,
Chairman.

Ordered passed on file.

Senator Newberry moved that when the Senate adjourn, it be until 2 o'clock P. M.

Carried.

INTRODUCTION OF BILLS.

By Senator Garst, Senate file No 314, a bill for an act to repeal section thirty-five hundred thirty-eight (3538) of the code, relative to unknown defendants having an interest in real estate, and enacting a substitute in lieu thereof.

Read first and second time and referred to committee on Judiciary.

By Senator Whipple from the committee on Insurance, Senate file No. 315, a bill for an an act to provide that life insurance companies may transact health, accident and employers liability insurance.

Read first and second time and placed on the calendar.

Senator Brooks moved that 300 additional copies of Senate file No. 117 be ordered printed.

Carried.

Senator Lewis moved that 300 additional copies of Senate file No. 269 be ordered printed.

Carried.

Senator Bleakly moved that the Senate do now adjourn.

Carried.

Senate stood adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M., President Herriott presiding.

On request of Senator Smith of Mitchell leave of absence was granted Senator Young of Washington until Monday.

On request of Senator Newberry leave of absence was granted Senator Lyons until Monday.

On request of Senator Warren leave of absence was granted Senator Hasselquist until Monday.

On request of Senator Whipple leave of absence was granted Senator Stuckslager for the rest of the day.

THIRD READING OF BILLS.

Senate file No. 68, a bill for an act amending the law as it appears in section seventeen hundred nine (1709) of the supplement to the code relating to insurance other than life, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

House file No. 208, a bill for an act relating to the assessment and taxation of property in special charter cities, and providing that section thirteen hundred five (1305) of the code shall not apply to such cities, with report of committee recommending passage, was taken up considered, and the report of the committee adopted.

Senator Crawford moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Courtright, Crawford, Eckles, Elerick, Ericson, Gale, Harper, Hartshorn, Hayward, Hopkins, Hughes, Jackson, Kimmel, Kinne, Maytag, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Taylor, Warren, Whipple, Wilson of Fayette, Young of Lee, Young of Calhoun—27.

The nays were:

Lewis, Turner—2,

Absent or not voting:

Brooks, Bruce, Crossley, Dowell, Dunham, Garst, Gillilland, Hasselquist, Hogue, Jamison, Jones, Lambert. Lyons, Molsberry, Smith of Mitchell, Stookey, Stuckslager, Wade, Wilson of Clinton, Winne. Young of Washington—21.

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

Senate file No. 300, a bill for an act to amend section ten hundred seventy-six (1076) of the code relative to the registration of voters was taken up and considered.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Dowell, Dunham, Eckles, Elerick, Gale, Gillilland, Harper, Hartshorn, Hayward, Hopkins, Hughes, Jackson, Jamison, Kimmel, Kinne, Lambert, Lewis, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Turner, Wade, Warren, Whipple, Wilson of Fayette, Young of Lee, Young of Calhoun—36.

The nays were:

None.

Absent or not voting:

Bruce, Crossley, Ericson, Garst, Hasselquist, Hogue, Jones, Lyons, Molsberry, Stuckslager, Taylor, Winne, Wilson of Clinton, Young of Washington—14.

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

Senate file No. 301, a bill for an act to amend section twenty-six hundred forty-one (2641) of the code, relative to the reports of the State University was taken up and considered.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were

Bleakly, Brooks, Courtright, Crawford, Dowell, Dunham, Eckles, Elerick, Gale, Gillilland, Harper, Hartshorn, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell. Spaulding, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Young of Lee, Young of Calhoun—39.

The nays were:

None.

Absent or not voting:

Bruce, Crossley, Ericson, Garst, Hasselquist, Hogue, Lyons, Stuckslager, Wilson of Clinton, Winne, Young of Washington —11.

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

Senate file No. 302, a bill for an act to amend the law as it appears in section twenty-six hundred fifty (2650) of the supplement to the code, relative to State College of Agriculture and Mechanic Arts, was taken up and considered.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third now.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Gillilland, Harper, Hartshorn, Hayward, Hopkins, Hughes, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith

of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Turner, Whipple, Wilson of Fayette, Young of Lee, Young of Calhoun—37,

The nays were:

None.

Absent or not voting:

Bruce, Crossley, Garst, Hasselquist, Hogue, Jackson, Lyons Stuckslager, Wade, Warren, Winne, Wilson of Clinton, Young of Washington—13.

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

Senate file No. 303, a bill for an act to amend section twenty-six hundred eighty (2680) of the code, relative to the Normal School and the biennial reports to the Governor, was taken up and considered.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Turner, Warren, Whipple, Wilson of Fayette, Young of Lee, Young of Calhoun—40.

The nays were:

None.

Absent or not voting:

Bruce, Crossley, Hasselquist, Hogue, Lyons, Stuckslager, Wade, Winne, Wilson of Clinton, Young of Washington—10.

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

Senate file No. 304, a bill for an act to amend section twenty-seven hundred seventeen (2717) of the code, relative to the College for the Blind, and reports to the Governor, was taken up and considered.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Harper, Hartshorn, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Turner, Warren, Whipple, Wilson of Fayette, Young of Calhoun—38.

The nays were:

None.

Absent or not voting:

Bruce, Crossley, Gillilland, Hasselquist, Hogue, Lyons, Stuckslager, Wade, Wilson of Clinton, Winne, Young of Lee, Young of Washington—12.

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

President pro tem Smith was called to the chair at 2:30 P. M.

Senate file No. 305, a bill for an act to amend section twenty-four hundred seventy-eight (2478) of the code, and to amend the law as it appears in section twenty-four hundred eighty-three (2483) of the supplement of the code, relating to mines and mining, was taken up and considered.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding,

Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Young of Lee, Young of Calhoun—40.

The nays were:

None.

Absent or not voting:

Bruce, Crossley, Hasselquist, Hogue, Lyons, Stuckslager, Winne, Wilson of Fayette, Wilson of Clinton, Young of Washington—10.

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

INTRODUCTION OF BILLS.

By Senator Warren Senate file No. 316, a bill for an act to amend section twenty-seven fifty-eight (2758) of the code relative to the qualification of school directors.

Read first and second time.

President Herriott resumed the chair at 2:35 o'clock P. M.

Senator Warren moved that Senate file No. 316, be taken up and considered at this time.

Carried.

Senate file No. 316, a bill for an act to amend section twenty-seven hundred fifty-eight (2758) of the code relative to the qualification of school directors was taken up and considered.

Senator Warren moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crawford, Dunham, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Young of Lee, Young of Calhoun—38.

The nays were:

None.

Absent or not voting:

Brooks, Crossley, Dowell, Eckles, Hasselquist, Hogue, Lewis, Lyons, Stuckslager, Winne, Wilson of Clinton, Young of Washington—12.

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

Senate file No. 307, a bill for an act to amend section twenty-four hundred sixty-nine (2469), and to amend the law as it appears in section twenty-four hundred seventy(2470) of the supplement to the code, relating to the Bureau of Labor Statistics, was taken up and considered.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hayward, Hughes, Jackson, Jamison, Jones, Kimmel, Lambert, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun—40.

The nays were:

None.

Absent or not voting:

Crossley, Dowell, Hasselquist, Hogue, Hopkins, Kinne, Lyons, Stuckslager, Wilson of Clinton, Young of Washington—10.

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

Senate file No. 306, a bill for an act to amend the law as it appears in section twenty-five hundred fifteen (2515) of the supplement to the code as amended by chapter eighty-eight (88) of the acts of the Thirtieth General Assembly in relation to the Dairy Commissioner, his appointment and term of office was taken up and considered.

Senator Newberry offered the following amendment and moved its adoption:

Amend by adding the following as section two of the bill:

Section 2, Amend by inserting before the word "dairy" in the third line of section twenty-five hundred fifteen (2515) of the code the words "food and".

Adopted.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hayward, Hughes, Jackson, Jones, Kimmel, Lambert, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun—40.

The nays were:

None.

Absent or not voting:

Crossley, Hartshorn, Hogue, Hopkins, Jamison, Kinne, Lyons, Stuckslager, Wilson of Clinton, Young of Washington —10.

Senator Courtright moved to amend the title by adding before the word "Dairy" the words "Food and".

Carried.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended agreed to.

Senate file No. 308, a bill for an act to amend sections one (1) and nine (9) of chapter eighty-seven (87) of the acts of the Thirtieth General Assembly in relation to the inspectors of petroleum and its products was taken up and considered.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Gillilland, Harper, Hartshorn, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Lambert, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Turner, Whipple, Wilson of Fayette. Winne, Young of Lee, Young of Calhoun—39.

The nays were:

None.

Absent or not voting:

Brooks, Garst, Hasselquist, Hogue, Kinne, Lyons, Stuckslager, Wade, Warren. Wilson of Clinton, Young of Washington—11.

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

Senate file No. 309, a bill for an act to amend section twenty-six hundred twenty-five (2625) of the code, relative to Superintendent of Public Instruction and his reports, was taken up and considered.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hayward, Hughes, Jackson, Jamison, Jones, Kimmel, Lambert, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun—42,

The nays were:

None.

Absent or not voting:

Hasselquist, Hogue, Hopkins, Kinne, Lyons, Stuckslager, Wilson of Clinton, Young of Washington—8.

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

Senate file No. 1, a bill for an act to amend section one hundred ninety-three (193) of the code, and to provide for the chief justiceship of the supreme court of Iowa was taken up and considered.

Senator Courtright moved that the rule be suspended. and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hayward, Hughes, Jackson, Jamison, Jones, Kimmel, Lewis, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Favette, Winne, Young of Lee, Young of Calhoun—41.

The nays were:

None.

Absent or not voting:

Hasselquist, Hogue, Hopkins, Kinne, Lambert, Lyons, Stuckslager, Wilson of Clinton, Young of Washington—9,

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

House file No. 332, a bill for an act to amend section one thousand ninety-three (1093) of the code relating to election board with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

Senator Courtright moved the adoption of the following committee amendment:

Insert before the first line of said bill the word and figure "Section one" (1).

Adopted.

Senator Courtright moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, endthe bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Harper, Hartshorn, Hayward, Hughes, Jackson, Jamison, Jones, Kimmel, Lambert, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun—39.

The nays were:

None.

Absent or not voting:

Crossley, Garst, Gillilland, Hasselquist, Hogue, Hopkins, Kinne, Lyons, Stuckslager, Wilson of Clinton, Young of Washington—11.

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

House file No. 331, a bill for an act to amend section one hundred forty-six (146) of the code, relating to term of office of custodian of public buildings, with report of committee recommending a substitute and passage was taken up, considered, and the report of the committee adopted.

Senator Courtright moved that the substitute recommended by the committee be substituted for the original bill.

Carried.

Senator Courtright moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Harper, Hartshorn, Hayward, Hogue, Hughes, Jamison, Jackson, Jones, Kimmel, Lambert, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Taylor, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun—39.

The nays were:

None.

Absent or not voting:

Garst, Gillilland, Hasselquist, Hopkins, Kinne, Lyons, Smith of Mitchell, Stuckslager, Turner, Wilson of Clinton, Young of Washington—11.

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

President pro tem Smith was called to the chair at 3:35 P. M.

House file No. 330, a bill for an act to repeal sections one thousand fifty-seven (1057), one thousand sixty-four (1064), one thousand sixty-five (1065), one thousand sixty-six (1066), one thousand sixty-eight (1068), one thousand seventy (1070), one thousand seventy-one (1071), one thousand seventy-four (1074) and to enact substitutes therefor, relating to the election of officers and the terms of office, with report of committee recommending amendments and passage was taken up, considered, and report of the committee, adopted.

Senator Courtright moved the adoption of the following committee amendments.

Before the first line of the bill insert the word and figure "Section 1."

Strike from the first line of the second section the figures "1057" and insert in lieu thereof the figure "2".

Strike from the first line of the third section the figures "1064", and insert in lieu thereof the figure "3".

Strike from the first line of the fourth section the figures "1066", and insert in lieu thereof the figure "4".

Strike out all of said fourth section after the word "years" in the fourth line thereof.

Strike from the first line of the fifth section the figures "1070", and insert in lieu thereof the figure "5".

Strike from the first line of the sixth section the figures "1071", and insert in lieu thereof the figure "6".

Adopted.

Senator Courtright moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Harper, Hartshorn Hayward, Hogue, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey Taylor, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun—40.

The nays were:

None.

Absent or not voting:

Garst, Gillilland, Hasselquist, Hopkins, Lyons, Maytag, Stuckslager, Turner, Wilson of Clinton, Young of Washington—10.

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

House file No. 329, a bill for an act to amend section one hundred twenty-two (122) of the code, relating to biennial reports of officers, with report of committee recommending amendments and passage was taken up, considered, and the report of the committee, adopted.

Senator Courtright moved the adoption of the following committee amendment:

Insert before the first line of the bill the word and figure "Section 1."

Adopted.

Senator Courtright moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Harper, Hartshorn Hayward, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun—39.

The nays were:

None.

Absent or not voting:

Crossley, Garst, Gillilland, Hasselquist, Hogue, Hopkins, Lyons, Maytag, Stuckslager, Wilson of Clinton, Young of Washington—11.

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

House file No. 328, a bill for an act to repeal section one hundred twenty-three (123) as the same is found in the supplement to the code, and to enact a substitute therefor, relating to the biennial fiscal term with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

Senator Courtright moved the adoption of the following committee amendments:

Strike out the first three lines of the bill, and the word and figures "Section 123" at the beginning of the fourth line, and insert in lieu thereof the following:

"Section 1. The law as it appears in section one hundred twenty-three (123) of the supplement to the code is hereby repealed, and the following enacted in lieu thereof:"

Adopted.

Senator Courtright moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Harper, Hartshorn, Hayward, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Turner, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee—37.

The nays were:

None.

Absent or not voting:

Crawford, Crossley, Gillilland, Hasselquist, Hogue, Hopkins, Lyons, Maytag, Stuckslager, Wade, Wilson of Clinton, Young of Calhoun, Young of Washington—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to,

The Journal of yesterday was taken up corrected and approved.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate file No. 44, a bill for an act to amend section eighty-eight (88) of the code relating to the clerk of the State Land Office.

Also:

Senate joint resolution No. 3 directing the Governor of the State of Iowa to invite the Governors of the several states to name representatives to an interstate convention, to be held in Des Moines, Iowa, or elsewhere, for the purpose of securing such action on the part of the several States as will result in a constitutional convention for the proposal of an amendment to the constitution providing for the election of United States Senators by a direct vote.

D. W. TURNER,

Chairman.

Senator Hughes moved that the Senate do now adjourn.

Carried.

Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday March 17, 1906.

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayers was offered by the Rev. G. W. Mullen of Des Moines.

On request of Senator Kimmel leave of absence was granted Senator Wade for the day.

On request of Senator Bleakly leave of absence was granted Senator Jackson for the day.

On request of Senator Elerick leave of absence was granted Senator Molsberry until Tuesday.

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 concurred in the following concurrent resolution in which the concurrence of the House was asked:

Senate concurrent resolution relative to printing additional House and Senate calendars.

C. R. BENEDICT,
Chief Clerk.

Also:

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:

HOUSE CONCURRENT RESOLUTION.

WHEREAS, the Hon. L. G. Kinne, an honored member of the bar, as also highly honored while holding the position of Judge of the Seventeenth Judicial District, composed at that time of the counties of Tama and Benton, and later being an honored member of the Supreme Court of the State and an honored member of the Board of Control from the date of its organization departed this life on March 16, 1906, at his home in Des Moines, Iowa, therefore be it

Resolved, by the House, the Senate concurring, That a joint committee of six be appointed by the Speaker of the House, and three to be appointed by the President of the Senate to draft resolutions commemorative of his life and public services.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House refuses to concur in Senate substitute to House file No. 74, in which the concurrence of the House was asked:

A bill for an act to regulate the employment of child labor and to provide for the enforcement thereof (additional to chapter eight (8) title twelve (XII) of the code.)

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 274, a bill for an act to repeal section twenty-five hundred (2500), twenty-five hundred one (2501) and twenty-five hundred two (2502) of the code relating to geological surveys and the duties of the State Geologist, and to enact a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 288, a bill for an act to reimburse Frank Bristow for injuries sustained while in the employ of the state.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 281, a bill for an act fixing the terms upon which electric current other than telegraphic or telephone may be transmitted from place where same is generated to where use is made thereof, along the public highway and across private lands.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 237, a bill for an act to amend the law relative to appropriation for law library as it appears in section twenty-eight hundred eighty-one-e (2881-e) of the supplement to the code.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 96, a bill for an act to amend section twenty-seven hundred sixty-eight (2768) of the code in relation to school funds.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 244, a bill for an act to legalize acknowledgments of instruments in writing heretofore taken by notaries public.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 316, a bill for an act to amend section twenty-seven hundred sixty-eight (2768) of the code relative to the qualifications of school directors.

C. R. BENEDICT,
Chief Clerk.

PETITIONS AND MEMORIALS.

Senator Lambert presented petition of the Bellevue Commercial Club, containing resolution adopted at a meeting of the club held March 14, 1906, urging the passage of House file No. 183 relating to exemption.

Referred to committee on Ways and Means.

Senator Kimmel presented petition of voters of Osceola county, favoring the passage of the bill known as the Reciprocal Demurrage bill.

Referred to committee on Railroads.

Senator Ericson presented petition of thirty business men of Ames, Iowa, asking the enactment of House file No. 183 relating to exemptions.

Referred to committee on Ways and Means.

Senator Ericson presented petition of forty-three business men of Madrid, Iowa, favoring the passage of the Exemption bill.

Referred to committee on Ways and Means.

Senator Hartshorn presented petition of constituents favoring the passage of House file No. 183 known as the Exemption bill.

Referred to committee on Ways and Means.

Senator Taylor presented petition of Division No. 56 Brotherhood Locomotive Engineers, located at Centerville, Iowa, protesting against the passage of the proposed bills known as the Picketing bill and the Exemption bill.

Referred to committee on Ways and Means.

Senator Taylor presented petitions of Local Unions No. 3341, No. 812, No. 634 and No. 553 N. M. W. of A. located at Centerville, Exline, Mystic and Centerville, respectively, protesting against the proposed Exemption law and the law prohibiting picketing.

Referred to committee on Ways and Means.

Senator Harper presented petition of residents of Eldon, Iowa, asking the enactment of the proposed law prohibiting the playing of base ball on the Sabbath.

Referred to committee on Judiciary.

Senator Lewis presented petition of citizens of Hamburg asking the repeal of the law providing for a tax on co-operative mutual insurance associations.

Referred to committee on Ways and Means.

Senator Lewis presented petition of sixty-five citizens of Fremont County requesting the repeal of the law which imposes a tax on co-operative mutual insurance companies.

Referred to committee on Ways and Means.

Senator Bleakly presented petition of physicians of Remsen, Iowa, asking the passage of the Patent Medicine bill and favoring the bill providing for a tuberculosis sanitarium.

Referred to committee on Public Health.

INTRODUCTION OF BILLS.

By Senator Hayward from the Ways and Means committee, Senate file No, 317, a bill for an act to repeal sections twenty-six hundred ninety-two (2692) of the law as it appears in the supple ment to the code and to enact a substitute therefor relating to the support of indigent children at the Soldiers' Orphans' Home and the time and manner of certifying expenses to the county auditor and auditor of state and the payment of same.

Read first and second time and placed on the calendar.

By Senator Hayward from the Ways and Means committee, Senate file No. 318, a bill for an act regulating the manner of keeping accounts by the county auditors with the State institutions or State Hospitals where counties have patients or pupils committed.

Read first and second time and placed on the calendar.

By Senator Hayward from the Ways and Means committee, Senate file No. 319, a bill for an act to repeal section twenty-seven hundred twenty-six (2726) of the code and to enact a substitute therefor, relating to the expense of inmates of school for deaf, and the time and manner of certifying the same to the county auditor and the auditor of state, and the payment of the same.

Read first and second time and placed on the calendar.

By Senator Hayward from the Ways and Means committee Senate file No. 320, a bill for an act to repeal section twenty-two hundred ninety-two (2292) of the code, and to enact a substitute therefor, relating to the expenses of the insane and the time and manner of certifying the same to the county auditor and the auditor of state and the payment of same.

Read first and second time and placed on the calendar.

By Senator Hayward from the Ways and Means committee Senate file No. 321, a bill for an act to repeal section twenty-six hundred ninety-seven (2697) of the code and enact a substitute therefor, relating to the expense of inmates of the institution for feeble minded children,and the time and manner of certifying the same to the county auditor and the auditor of state, and payment of same.

Read first and second time and placed on the calendar.

By Senator Hayward of the Ways and Means committee, Senate file No. 322, a bill for an act to repeal section twenty-seven hundred sixteen (2716) of the code, and to enact a substitute therefor, relating to the expense of inmates of the college for the blind, and specifying the time and manner of certifying the same to the county auditor and the auditor of state, and the payment of same.

Read first and second time and placed on the calendar.

By Senator Crossley, Senate file No. 323, a bill for an act providing for the nomination, by political parties for organizations of candidates for various offices and election of delegates to conventions of said political parties or organizations, by a primary election and for the holding of conventions for the nomination of candidates for certain offices by such political parties or organizations.

Read first and second time and referred to committee on Elections.

By Senator Dowell, joint resolution No. 4, a joint resolution setting aside room twenty-seven (27) in the State Capitol Building for the use of newspaper publishers, reporters and correspondents.

Read first and second time and referred to committee on Public Buildings.

THIRD READING OF BILLS.

Senate file No. 152, a bill for an act to provide for the publication of municipal accounts and to establish a uniform system of accounts, reports and audit in cities and towns, amending the law as it appears in sections seven hundred forty-one-a (741-a), seven hundred forty-one-b (741-b), and seven hundred forty-one-c (741-c) of the supplement to the code, with report of committee recommending amendments and passage, was taken up, considered,, and the report of the committee adopted.

Senator Dunham moved the adoption of the following committee amendments.

Amend by striking out the last two lines of the title thereof the words, "amending the law as it appears in section seven hundred forty-one-a (741-a), seven hundred forty-one-b (741-b), and seven hundred forty-one-c (741-c) of the supplement to the code", and by inserting a period in the place of a comma after the word "towns".

Also:

That the bill be amended by striking out "Section 1" thereof, and for sections numbers 2, 3, 4, 5, 6, 7, 8, 9 and 10, insert numbers 1, 2, 3, 4, 5, 6, 7, 8 and 9.

Adopted.

Senator Dunham moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Harper, Hartshorn, Hayward, Hopkins, Hughes, Jamison, Jones, Kimmel, Kinne, Lambert. Lewis, Maytag, Newberry, Smith of Des Moines, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun—36.

The nays were:

None.

Absent or not voting:

Bruce, Gale, Gillilland, Hasselquist, Hogue, Jackson, Lyons, Molsberry, Saunders, Smith of Mitchell, Wade, Warren, Wilson of Clinton, Young of Washington—14.

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

The President announced that he had signed in the presence of the Senate, Senate files Nos. 157 and 316.

Senate file No. 225, a bill for an act to amend section six hundred sixty (660) of the code, and to provide for securing to the city interest on public funds, and for bonds with surety to protect against loss, with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

Senator Dowell moved the adoption of the following amendments recommended by the committee:

Amend section one (1) of the bill by inserting after the word "bank" in the fourth line thereof the words "or banks".

Also:

Amend section one (1) by inserting after the word "bank" in the seventh line thereof the words "or banks".

Adopted.

Senator Lewis offered the following amendment and moved its adoption:

Strike out of lines three and four of section one the words "(where provision for such deposit is not already made) in any bank or banks in the state," and insert in lieu thereof the following: "in any bank or banks in uch city."

Senator Garst moved that the bill be referred to the Ways and Means committee and retain its place on the calendar and be reported out as soon as possible.

Carried.

Senator Newberry moved that when the Senate adjourn at noon, it be until 2 o'clock P. M.

Carried.

On request of Senator Elerick leave of absence was granted Senator Kinne until Tuesday.

On request of Senator Elerick leave of absence was granted Senator Crawford until Tuesday.

On request of Senator Whipple leave of absence was granted Senator Gillilland for the day.

On request of Senator Newberry leave of absence was granted Senator Dunham until Monday.

HOUSE MESSAGES CONSIDERED.

House amended and passed Senate file No. 91, a bill for an act to repeal the law as it appears in section twenty-five hundred seventy-a (2570-a) of the supplement to the code and chapter ninety-eight (98) laws of the Thirtieth General Assembly, relating to quarantine, the care of infected persons and the payment of expenses incurred thereby and to enact a substitute therefor.

Read first and second time.

Senator Wilson of Fayette, moved that the Senate concur in the following House amendment:

"Section 2. That nothing in this act shall in any manner affect pending litigation."

On the question, Shall the House amendment be concurred in?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Eckles, Elerick, Ericson, Garst, Harper, Hayward, Hopkins, Hughes, Jamison, Jones, Kimmel, Lambert, Lewis, Maytag, Newberry, Smith of Des Moines, Spaulding, Stirton, Stookey, Warren, Whipple, Wilson of Fayette, Young of Lee, Young of Calhoun—30.

The nays were:

None.

Absent or not voting:

Crawford, Dunham, Gale. Gilliland, Hartshorn, Hasselquist, Hogue, Jackson, Kinne, Lyons, Molsberry, Saunders, Smith of Mitchell, Stuckslager, Taylor, Turner, Wade, Wilson of Clinton Winne, Young of Washington—20.

So the House amendment was concurred in.

HOUSE MESSAGES CONSIDERED.

Senate file No. 187, a bill for an act to amend division twenty (20) of section four hundred twenty-two (422) of the code relating to the powers of the board of supervisors.

Ordered passed on file.

House file No. 216, a bill for an act to legalize conveyance of real estate by executors, administrators and guardians in certain cases.

Read first and second time and referred to committee on Judiciary.

House refuses to concur in Senate substitute to House file No. 74, a bill for an act to regulate the employment of child labor and to provide for the enforcement thereof (additional to chapter eight (8), title twelve (XII), of the code.)

Ordered passed on file.

House file No. 274, a bill for an act to repeal sections twenty-five hundred (2500) twenty-five hundred one (2501) and twenty-five hundred two (2502) of the code relating to geological surveys and the duties of the State Geologist and to enact a substitute therefor.

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

House file No.288, a bill for an act to reimburse Frank Bristow for injuries sustained while in the employ of the state.

Read first and second time and referred to committee on Claims.

House file No. 281, a bill for an act fixing the terms upon which electric current other than telegraphic or telephone may be transmitted from place where same is generated to where use is made thereof, along the public highway and across private lands.

Read first and second time and referred to committee on Judiciary.

Senate file No. 316, a bill for an act to amend sections twenty-seven hundred sixty-eight (2768) of the code relative to the qualification of school directors.

Ordered passed on file.

Senate concurrent resolution, relative to printing additional House and Senate calendars.

Ordered passed on file.

House concurrent resolution, relative to appointment of a joint committee to draft resolutions commemorative of the life and public services of the late Hon. L. G. Kinne, and naming as committee on part of the House, Lundt of Tama, Temple of Clarke Koontz of Johnson.

Senator Young of Lee moved that the concurrent resolution be concurred in.

Carried.

The President announced as the committee to prepare suitable resolutions relative to the death of Judge Kinne, Senators Young of Lee, Stirton and Whipple.

House file No. 237, a bill for an act to amend the law relative to appropriation for law library as it appears in section twenty eight hundred eighty-one-e (2881-e) of the supplement to the code.

Ordered passed on file.

Senate file No. 96, a bill for an act to amend section twenty seven hundred sixty-eight (2768) of the code in relation to schools funds.

Ordered passed on file.

House amended and passed Senate file No. 244, a bill for an act to legalize acknowledgments of instruments in writing heretofore taken by notaries public.

On request of Senator Hopkins leave of absence was granted Senator Hartshorn for the remainder of the day.

Senator Wilson of Fayette moved that the Senate concur in the following House amendment:

Section 2. All deeds, mortgages, or other instruments in writing, for the conveyance of lands which have heretofore been made and executed, and the officer taking the acknowledgment has not affixed his seal to the acknowledgment, such acknowledgment shall, nevertheless, be good and valid in law and equity, anything in any law heretofore passed to the contrary notwithstanding.

And to change the number of "sections 2 and 3 to 3 and 4" respectively.

On the question, Shall the House amendments be concurred in?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Eckles, Elerick, Ericson, Garst, Harper, Hayward, Hopkins, Hughes, Jamison, Jones, Kimmel, Lambert, Lewis, Maytag, Newberry, Smith of Des Moines, Spaulding, Stirton, Stookey, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun—31.

The nays were:

None.

Absent or not voting:

Crawford, Dunham, Gale, Gillilland, Hartshorn, Hasselquist, Hogue, Jackson, Kinne, Lyons, Molsberry, Saunders, Stuckslager, Taylor, Turner, Wade, Smith of Mitchell, Wilson of Clinton, Young of Washington—19.

So the House amendments were concurred in.

REPORTS OF COMMITTEES.

Senator Kimmel, 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. 126, a bill for an act for the protection of birds, their nests and eggs, the whole being additional to chapter fifteen (15), title twelve (XII) of the code, beg leave to report that they have had the

same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by the adoption of the following amendment:

Amend section eight (8) of the printed bill by striking out the word "and" in the second line and inserting the words "Blackbirds and Crows" after the words Cooper's hawk, and when so amended the bill do pass.

W. C. KIMMEL,
Chairman.

Ordered passed on file.

Senator Hayward 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. 272, a bill for an act to amend section twenty-two hundred seventy (2270) of the code relating to settlement of insane patients, beg leave to report that 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.

W. C. HAYWARD,
Chairman,

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Ways and Means to whom was referred Senate file No. 273, a bill for an act to repeal section twenty-seven hundred twenty-seven-a-twenty-eight (2727-a-28) supplement to the code relating to non-resident insane 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 same be amended as follows:

Amend the title by inserting after the word repeal and before the word section, the words "the law as it appears in".

Also amend section one of the bill by inserting as the beginning of the same the words "That the law as it appears in", and when so amended the bill do pass.

W. C. HAYWARD,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Ways and Means to whom was referred Senate file No. 266 a bill for an act to repeal section twenty-nine hundred seventy-two (2972) of the code and enact a substitute therefor and to repeal section forty hundred eleven (4011) of the code and enact a substitute therefor, relating to exemptions to the heads of families resident in this state, beg leave to report that they have had the same under consider-

ation and instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. C. HAYWARD,
Chairman.

Adopted.

Ordered passed on file.

So the bill was indefinitely postponed.

INTRODUCTION OF BILLS.

By Senator Young of Calhoun Senate file No. 324, a bill for an act to amend sections twenty-five hundred seventy-eight (2578) of the code, relative to State Board of Medical Examiners, their duties and powers.

Read first and second time and referred to committee on Judiciary.

REPORT OF COMMITTEE.

Senator Dowell, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 240, a bill for an act to revise the law relating to the sentence and commitment of persons convicted of a crime, and providing for a system of reform and parole and to create the neeessary officers therefor, defining their powers and duties, and to fix their compensation, and appropriating the money necessary to carry the same into effect, and to repeal all acts and parts of acts in conflict therewith, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by adopting the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 240.

A BILL for an act to revise the law relating to the sentence and commitment of persons convicted of crime, and providing for a system of reform and parole and to create the necessary officers therefor, defining their powers and duties, and to fix their compensation, and appropriating the money necessary to carry the same into effect, and to repeal all acts and parts of acts in conflict therewith.

Be it Enacted by the General Assembly of the State of Iowa.

Section 1. Hereafter the penitentiary at Anamosa shall be officially known and designated as "The Reformatory", and shall be the reformatory department of the State Penitentiary of Iowa.

Section 2. Any male person who shall be committed after the 4th day of July, 1906, and who at the time of commitment is between the ages of sixteen and thirty years and who has never before been convicted of a felony

shall be confined in the reformatory, provided, however, that all male persons committed to life inprisonment or for treason shall be kept in the penitentiary at Ft. Madison.

Section 3. The criminal insane shall continue to be confined in the insane department at Anamosa, as provided in section fifty-seven hundred and nine of the code.

Section 4. Any male prisoner confined in the reformatory may be transferred to the penitentiary at Fort Madison, upon order of the Board of Control, for violation of the rules of the reformatory or for insubordination and a like transfer may be ordered by said Board whenever it shall be of the opinion that a prisoner is not a hopeful subject for reformatory treatment.

Section 5. The Board of Control may retain in the Reformatory such persons as have been or are committed to the penitentiary at Anamosa for crimes committed on or prior to July 4, 1906, except that all persons convicted of murder in the first degree and all persons sentenced to life imprisonment shall be kept and confined in the prison at Fort Madison and a transfer shall be made as soon as reasonably convenient after July 4, 1906, from the reformatory to the prison at Fort Madison of the persons named in this exception.

Section 6. Whenever there is unoccupied room in the reformatory, the Board of Control may in its discretion transfer from the prison at Fort Madison well-behaved and most promising convicts who are confined for their first offenses.

Section 7. The inmates of the reformatory shall be employed only on state account, which employment shall be conducive to the teaching of useful trades and callings so far as is practicable, and the intellectual and moral development of the inmates, provided, however, that the inmates of the reformatory may be employed to complete any contracts for prison labor to be performed in the penitentiary at Anamosa.

Section 8. The Board of Control shall cause to be kept at the reformatory and penitentiary such registers and records of prisoners for the use of the Board of Parole, as may be approved by the Executive Council.

Section 9. After July 4, 1906, whenever any person over sixteen years of age is convicted of a felony, committed subsequent to July 4, 1906, except treason or murder, the court imposing a sentence of confinement in the penitentiary shall not fix the limit or duration of the same, but the term of such imprisonment shall not exceed the maximum term provided by law for the crime of which the prisoner was convicted; provided that if a person be sentenced for two or more separate offenses and the second or further term is ordered to begin at the expiration of the first and such succeeding term of sentence is specified in the order of commitment, the several terms shall for the purpose of this act be construed as one continuous term of imprisonment; and provided, that where one is convicted of a felony that is punishable by imprisonment in the penitentiary, or by fine, or by imprisonment in the county jail, or both, the court may impose the lighter sentence if it shall so elect.

Section 10. Prior to the adjournment of the Thirty-first General Assembly, the Governor, with the advice and consent of the Senate, shall appoint three electors of the State, not more than two of whom shall belong to the same political party, and one member of whom shall be a duly licensed attorney at law, as members of board to be known as a board of Parole. Said members shall hold office, as designated by the Governor, for one, three and five years respectively; subsequent appointments shall be made as provided above, and shall be for a term of six years, except appointments to fill vacancies which shall be for the unexpired term. The terms of the members first appointed shall commence July 1, 1906, and the chairman of the Board shall be the member whose term first expires. Appointments made when the General Assembly is not in session shall be subject to the approval of the Senate when next in session. A suitable office at the Capitol shall be provided for the use of said Board, with such furniture and office supplies as shall be reasonably necessary for the use of the same, and such Board shall hold at least four sessions each calendar year.

They shall receive as compensation ten ($10.00) dollars per day for the time actually spent in the discharge of the duties of this office, not to exceed one thousand ($1000.00) dollars each per annum, and all necessary expenses while on official business. The Board of Parole shall employ a competent secretary who shall receive a salary not to exceed two thousand ($2000.00) dollars per year and necessary traveling expenses when on official business required and designated by the Board. He shall keep records and perform such duties as state agent or otherwise, as shall be prescribed by the Board.

They may employ such other employees as the Executive Council may authorize by written resolution.

Section 11. There is hereby appropriated from any funds in the state treasury not otherwise appropriated sufficient thereof to pay the salaries and expenditures herein authorized.

Section 12. The Secretary and other employes shall be entitled to their necessary travelling expenses by the nearest travelled and practicable routes incurred in going from Des Moines to the penitentiaries or other places in the State when on official business. No expenditure for travelling expenses to other states shall be made by the Board or any officer or agent thereof unless the authority to make such trip is granted at a meeting of the Board upon a written resolution adopted by the Board, which shall state the purpose of such trip and the reason the same is deemed necessary. Emergency trips may be made upon written order of the chairman, which shall be reported to the Board at its next meeting.

Section 13. Before any expenses or per diem of the members of the Board, any officer or agent thereof, or any expense incurred by others under the direction of the Board, shall be paid, a minutely itemized statement of such expenditures shall be presented to the proper authorities, duly verified, which certification shall aver that the expense bill is just, accurate and true, and is claimed for cash expenditures or cash disbursements truly and actually paid and made to the parties named as shown by said statement herein. Unless the statement is so verified and duly audited, payment

thereof shall not be made. The expense bills of the members of the Board the secretary and its other employees, when so verified, shall be presented to the Executive Council for their written audit before payment is made.

The salaries and actual expenses of the Board, the secretary and other employes, shall be paid monthly by the Treasurer of the State upon the warrant of the Auditor of State.

Section 14. The Board of Parole shall have power to establish rules and regulations under which it may allow prisoners within the penitentaries other than prisoners serving life terms to go upon parole outside of the penitentiary buildings, enclosure and appurtenances, but to remain while on parole in the legal custody of the wardens of the penitentaries and under the control of the said Board of Control and subject, at any time, to be taken back and confined within the penitentiary; and the Board shall have full power to enforce such rules and regulations and to retake and reimprison any such paroled convict. The order of said Board certified by its Secretary shall be sufficient warrant for any peace officer to arrest and take into actual custody or to return to the penitentiary specified in the order any prisoner conditionally released or paroled by said Board; and it is hereby made the duty of all peace officers to execute such order the same as any other criminal process and they shall receive the same fees as sheriffs for like services, the same to be paid from the ordinary expense fund of the penitentaries, but no person shall be released on parole before the expiration of the maximum term provided by law for the punishment of the crime of which he was convicted until the Board of Parole shall have satisfactory evidence that arrangements have been made for his employment for at least six months with some suitable employer. The time when a prisoner is upon parole or absent from the penitentiary shall not be held to apply upon his sentence if he shall violate the terms of his parole.

Section 15. It shall be the duty of the Board of Parole to keep in communication, so far as possible, with all persons who are on parole and when, in their opinions any prisoner who has served not less than six months of his parole acceptably, has given such evidence as is deemed reliable and trustworthy that he is and will continue to be a law-abiding citizen and that his final release is not incompatible with the welfare of society; and when the said Board of Parole shall have procured, as far as possible, all facts relating to the history of such paroled prisoner, both before and after his confinement and parole; and his record while detained; the Board of Parole shall recommend to the Governor the discharge of such prisoner from further liability under his sentence. Said recommendation shall be entered on a proper record, kept by said Board for that purpose and a certified copy of the order of discharge, when made, by the Governor, shall be filed with the Clerk of the Court in which said prisoner was sentenced to the penitentiary.

Section 16. Nothing in this act contained shall be construed as impairing the power of the Governor under the laws and Constitution, to grant a pardon or commutation of sentence in any case.

Section 17. Upon the release of any prisoner upon parole, he shall be furnished with clothing and money as provided in section fifty-six hundred

eighty-four(5684)of the code and transportation to his place of employment, provided that no further allowance shall be made if final discharge is granted while on parole.

Section 18. It shall be the duty of the Board of Parole, under the direction of the Governor,to take charge of all correspondence in reference to the pardon of persons convicted of crimes and to carefully investigate each application, and to file its recommendation with the Governor with its reasons for the same.

Section 19. All acts and parts of acts which are in conflict with this act are hereby repealed insofar as they shall apply to persons convicted of crime committed after the fourth day of July 1906. This act shall not operate, however, to repeal any of the laws now in force, insofar as they may relate to persons that have heretofore been convicted of a crime under the laws of the State of Iowa, or to any persons that shall hereafter be convicted of a crime committed on or before the 4th day of July, 1906, and the rights under the law of all prisioners that now are or hereafter may be committed to the penitentiary for crimes committed on or prior to the 4th day of July, 1906, are expressly preserved to them. This act shall not operate in any way to repeal any laws that refer to the sentence of persons hereafter convicted of murder in the first or second degree, or treason.

Section 20. It shall be the duty of the clerk of any court in which a prisoner shall be sentenced to the penitentiary, to furnish the Board of Parole a record containing a copy of the indictment with the minutes of estimony attached thereto; the name and residence of the Judge presiding at the trial and of the county attorney who prosecuted the prisoner. Also the jurors and the witnesses sworn at the trial. The county attorney who prosecuted said prisoner and the presiding judge, shall when requested by the Board of Parole, furnish to it a full statement of all the facts and circumstances connected with the commission of the crime of which the prisoner is convicted, so far as known or believed by them.

Section 21. The Board of Parole may render such assistance as may be deemed necessary to the success of parole system, in the procuring of employment with trustworthy employees for prisoners about to be paroled; and necessary expenses incident thereto, not already provided for, shall be paid as other expenses of the Board.

It is hereby made the duty of every public officer to whom inquiry may be addressed by the Board of Parole concerning any prisoner to give said Board all information possessed or accessible to him which may thow light upon the question of the fitness of said prisoner to receive the benefits of parole.

Section 22. This act, being deemed of immediate importance; shall take effect and be in force from and after its publication in the Register and Leader and Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

And when so amended the bill do pass.

Substitute read first and second time and passed on file.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Senator Dowell moved that Senate file No. 240 be made a special order for Wednesday morning to follow the special order set for Tuesday morning.

Carried.

Senator Dowell from the committee on Judiciary submitted the following report:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 119, a bill for an act to repeal section thirteen hundred six-b (1306-b) of the supplement to the code, and chapter forty-three (43) of the acts of the Thirtieth General Assembly, and to enact a substitute therefor relating to the limit of indebtedness of municipal corporations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with recommendation that the same be amended as follows:

Amend section two (2) by adding: "and provided that in cities having a population of more than ten thousand, the petition need not be signed by more than two hundred qualified electors."

Amend section four (4) by striking out the words "Two Thirds" in the first line of said section and inserting the following: "If a majority, in cities having more than ten thousand population; or, if in cities and towns having a population of ten thousand or less, two-thirds."

Amend section five (5) by striking out the period at the end of the sentence and adding thereto the following; "Nor shall anything in this act contained be construed as being applicable to bonds issued under section 745 of the supplement to the code." And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 336 a bill for an act to authorize the executive council to convey to Jones county, Iowa, a roadway through the east half of the southwest quarter of section thirty-three (33), township eighty-five (85) north of range four (4) west of the fifth principal meridian, beg leave to report that 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. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 277, a bill for an act to amend section thirty-three hundred sixty-six (3366) of the code relative to the right of a surviving husband in property, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 375 a bill for an act to legalize the incorporation of the town of Portsmouth, Shelby county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done 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 same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 376, a bill for an act to legalize the incorporation of the town of Schleswig, Crawford county, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town, beg leave to report that 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. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 217, a bill for an act to repeal the law as it appears in chapter one hundred thirty-six (136) of the acts of the Thirtieth General Assembly and enact in lieu thereof the following, relative to the preservation of life and protection of property and to require the construction of fire escapes on certain buildings and enclosures now constructed or hereafter to be erected, providing the manner of constructing the same and imposing penalties for the violation thereof additional to chapter ten (10) of title twenty-four (24) of the code, relative to offences against 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 the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 222 a bill for an act to amend section five thousand forty (5040) of the code relative to breach of the Sabbath beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend section one (1) by adding after the word "persons" in the third line thereof, the words "between sunrise and 4 o'clock P. M. on the thirtieth day of May, or"

And by striking out after the word "fine" in the twelfth line thereof, the words "not less than Five Dollars and".

And when so amended the bill be reported without recommendation.

C. C. DOWELL,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Turner from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 316, a bill for an act to amend section twenty-seven hundred fifty-eight (2758) of the code relative to the qualification of school directors.

Also:

Senate file No. 157, a bill for an act defining the powers of the State Food and Dairy Commissioner, his deputy and assistants.

D. W. TURNER,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turner from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined and find correctly enrolled Senate file No. 157, a bill for an act defining the powers of the State Food and Dairy Commissioner, his deputy and assistants.

Also:

Senate file No. 316, a bill for an act to amend section twenty-seven hundred fifty-eight (2758) of the code relative to the qualifications of school directors.

D. W. TURNER,
Chairman Senate Committee
H. L. SPAULDING,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent the Governor for his approval, Senate file No. 157, a bill for an act defining the powers of the State Food Commissioner, his deputy and assistants.

Also:

Senate file No. 316, a bill for an act to amend section twenty-seven hundred fifty-eight (2758) of the code relative to the qualifications of school directors.

D. W. TURNER,
Chairman.

INTRODUCTION OF BILLS.

By Senator Crossley, Senate file No. 325, a bill for an act to establish a State Board of Horticulture, State Park Arboretum and Botanical Garden, and to make appropriation therefor.

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

Senator Jamison moved that when the Senate adjourn this afternoon it be until 2 o'clock P. M., Monday.

Carried.

The Journal of yesterday was taken up, corrected and approved.

Senator Bleakly moved that the Senate do now adjourn.

Carried.

Senate stood adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M., President Herriott presiding.

On request of Senator Stookey leave of absence was granted Senator Jamison for the afternoon.

THIRD READING OF BILLS.

Substitute for House file No. 74, a bill for an act to regulate the employment of child labor, and to provide for the enforcement thereof, (additional to chapter eight (8), title twelve (12) of the code), was taken up and considered.

Senator Dowell moved that the Senate insist upon the Senate amendments and that a conference committee be appointed.

Carried.

The President announced as the Senate members of the conference committee upon the substitute for House file No. 74, Senators Dowell, Courtright, Whipple and Jackson.

Senator Crossley asked unanimous consent that Senate file No. 324 be referred to the committee on Horticulture and Forestry.

Consent granted.

House file No. 214, a bill for an act to amend section nine hundred two (902) of the code, with report of committee recommending passage, was taken up, considered, and the report of the committee, adopted.

Senator Garst moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crossley, Dowell, Eckles, Elerick, Ericson, Garst, Harper, Hayward, Hopkins, Hughes, Jones, Kimmel, Lambert, Lewis, Maytag, Newberry, Smith of Des Moines, Spaulding, Stirton, Stookey, Turner, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun 30.

The nays were:

None.

Absent or not voting:

Bruce, Crawford, Dunham, Gale, Gilliland, Hartshorn, Hasselquist, Hogue, Jackson, Jamison, Kinne, Lyons, Molsberry, Saunders, Stuckslager, Taylor, Wade, Smith of Mitchell, Wilson of Clinton, Young of Washington—20.

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

REPORTS OF COMMITTEE.

Senator Whipple from the committee on Insurance submitted the following report;

MR. PRESIDENT—Your committee on insurance to whom was referred substitute for House file No. 5, a bill for an act, amending section seventeen hundred nine (1709) of the code, relating to insurance other than life, beg leave to report that it has had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following amendments be made thereto and when so amended that the substitute do pass, Amend the title of the substituted bill so as to read as follows:

A BILL for an act to amend the law as it appears in section seventeen hundred nine (1709) of the supplement to the code and to repeal the law as it appears in section seventeen hundred ten (1710) of the supplement to the code and to enact a substitute therefor, and relating to insurance other than life.

Insert after the figures and parenthesis "1709" in line two (2) of section (1) of the substituted bill the words "of the". Insert before the word "that" in line eight (8) of section one (1) of the substituted bill the word, figure and period "section two." Insert after the word "that" in said line eight (8) of the substituted bill the words "the law which appears as" and after the figures and parenthesis "1710" in said line the words "of the." Strike out all of lines eighteen (18) to twenty-three (23) inclusive of section one (1) of the substituted bill and insert in lieu thereof the words "except as in this section provided as follows," and insert the colon after the word "follows."

Amend by inserting in lieu of the period at the end of line ten (10) of the second page of the substituted bill a semicolon and by changing the letter "a" in the first word "any" in line eleven (11) to a lower case letter and by inserting the word "and" before the said word "any".

Strike out after the word "accident" in the twenty-fourth (24) line of page two (2) of the substituted bill the words "but nothing herein shall be construed to authorize any life insurance company to insure against the casualties mentioned in sub-divison six (6), nor to insure plate glass against accidental breakage." That the substituted bill be further amended by changing the comma after the word "thereat" in line three (3) of page (3) of the substituted bill to a period and that the words, commas and period "and against the loss of moneys or securities, in the course of transportation," in lines three (3) and four (4) of the third page of the substituted bill be stricken out.

W. P. WHIPPLE,
Chairman.

Also:

MR. PRESIDENT—Your committee on Insurance, to whom was referred House file No. 270, a bill for an act to repeal section seventeen hundred

thirty-seven (1737) of the code, relating to the publication of certificates of compliance of companies transacting the business of insurance other than life 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 same do pass.

W. P. WHIPPLE,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Insurance to whom was referred House file No. 257, a bill for an act to amend the law as it appears in section seventeen hundred nine (1709) of the code and of the supplement to the code 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 be amended by the following substitute:

SUBSTITUTE FOR HOUSE FILE NO. 257.

A BILL for an act to amend the law as it appears in section seventeen hundred nine (1709) of the supplement to the code relating to insurance.

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

Section 1. The law as it appears in section seventeen hundred nine (1709) of the supplement to the code is hereby amended by striking out of subdivision seven (7) after the word "thereat" in the third line thereof the comma and words, "and against the loss of moneys and securities in the course of transportation."

Section 2. The law as it appears in section seventeen hundred nine (1709) of the supplement to the code is hereby amended by striking out subdivision one of said section and inserting in lieu thereof "1. Insure houses, buildings, and all other kinds of property against loss or damage by fire or other casualty, and make all kinds of insurance on goods, merchandise, moneys and securities or other property in the course of transportation, whether on land or water, or any vessel or boat wherever the same may be."

Section. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in The Register and Leader and the Des Moines Daily News, newspapers published at the city of Des Moines, Iowa.

And when so amended the same do pass.

W. P. WHIPPLE,
Chairman.

Substitute read first and second time and ordered passed on file.

THIRD READING OF BILLS

Senate file No. 281, a bill for an act to legalize the acts and resolutions passed by the Board of Supervisors of Calhoun county Iowa, allowing certain persons appointed to collect delinquent per-

sonal tax, a commission in addition to the five per cent provided by statute, with report of committee, recommending passage was taken up, considered, and the report of the committee, adopted.

Senator Young of Calhoun moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crossley, Dowell, Eckles, Elerick, Ericson, Garst, Harper, Hayward, Hopkins, Hughes, Jones, Kimmel, Lambert, Lewis, Maytag, Newberry, Smith of Des Moines, Spaulding, Stirton, Stookey, Turner, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun—30.

The nays were:

None.

Absent or not voting:

Bruce, Crawford, Dunham, Gale, Gillilland, Hartshorn, Hasselquist, Hogue, Jackson, Jamison, Kinne, Lyons, Molsberry, Saunders, Stuckslager, Taylor, Wade, Smith of Mitchell, Wilson of Clinton, Young of Washington—20.

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

House file No. 318, a bill for an act to legalize the incorporation of the town of Woodbine, Harrison County, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the council of said town, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Lewis moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crossley, Dowell, Eckles, Elerick Ericson, Garst, Harper, Hayward, Hopkins, Hughes, Jones, Kimmel, Lambert, Lewis, Maytag, Newberry, Smith of Des

Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslarger, Turner, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun—32.

The nays were:

None.

Absent or not voting:

Bruce, Crawford, Dunham, Gale, Gillilland, Hartshorn, Hasselquist, Hogue, Jackson, Jamison, Kinne, Lyons, Molsberry, Saunders, Taylor, Wade, Wilson of Clinton, Young of Washington—18.

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

Senate file No. 286, a bill for an act to legalize the incorporation of the town of Osterdock in Clayton County, Iowa, and to legalize the election of its officers and all acts and ordinances passed by the council of said town with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Newberry moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Eckles, Elerick, Ericson, Harper, Hayward, Hopkins, Hughes, Jones, Kimmel, Lambert Lewis, Maytag, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun—29.

The nays were:

None.

Absent or not voting:

Bruce, Crawford, Crossley, Dowell, Dunham, Gale, Garst, Gillilland, Hartshorn, Hasselquist, Hogue, Jackson, Jamison, Kinne, Lyons, Molsberry, Saunders, Taylor, Wade, Wilson of Clinton, Young of Washington—21.

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

Senate file No. 108, a bill for an act to amend section fourteen-hundred four (1404) of the code, relating to the assessment of personal property, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Brooks asked unanimous consent that the further consideration of the bill be passed and that it retain its place on the calendar.

Consent granted.

Senate file No. 7, a bill for an act relating to the jurisdiction of justices of the peace and their courts in the State of Iowa, with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

By unanimous consent further consideration of the bill was passed and its place retained on the calendar.

House file No. 322, a bill for an act to legalize the incorporation of the town of Yale, Guthrie county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the council of said town, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Hopkins moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crossley, Dowell, Eckles, Elerick, Ericson, Hayward, Hopkins, Hughes, Jones, Kimmel, Lambert, Lewis, Maytag, Newberry, Smith of Des Moines, Smith of Mitchel, Spaulding, Stirton, Stookey, Turner, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun—27.

The nays were:

None.

Absent or not voting:

47.

Bruce, Crawford, Dunham, Gale, Garst, Gillilland, Harper Hartshorn, Hasselquist, Hogue, Jackson, Jamison, Kinne, Lyons, Molsberry, Saunders, Stuckslager, Taylor, Wade, Warren, Whipple, Wilson of Clinton, Young of Washington—23.

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

Senator Lambert moved that 300 extra copies of the substitute for Senate file No. 189 be ordered printed.

Carried.

House file No. 285, a bill for an act to legalize the special election held in Armstrong, Monday, May 18, A. D. 1903, granting a franchise to the Armstrong Light and Heating Company, and all the ordinances, resolutions and acts of said council with reference thereto recited in this act, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Courtright moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crossley, Doweli, Eckles, Elerick, Ericson, Hayward, Hopkins, Hughes, Jones, Kimmel, Lambert, Lewis Maytag, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Turner, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun—28.

The nays were:

None.

Absent or not voting:

Bruce, Crawford, Dunham, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hogue, Jackson, Jamison, Kinne, Lyons, Molsberry, Wade, Warren, Wilson of Clinton, Young of Washington—22.

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

Senate file No. 250, a bill for an act to legalize the making of certain plats made by the county auditors of Iowa and the

recording of the same by the county recorders of Iowa and to legalize the descriptions of land in all instruments, conveyances and incumbrances referring thereto, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Dowell moved the adoption of the following amendment recommended by the committee.

"That section two (2) be amended by striking out all after the words "That" in the first line thereof down to the word "or" in the second line and inserting in lieu thereof the following: "all instruments, conveyances and incumbrance."

Adopted.

Senator Dowell moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time,

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crossley, Dowell, Eckles, Elerick' Ericson, Harper, Hopkins, Hughes, Jones, Kimmel, Lambert, Lewis, Maytag, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Turner, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun—29.

The nays were:

None.

Absent or not voting:

Bruce, Crawford, Dunham, Gale, Garst, Gillilland, Hartshorn, Hasselquist, Hayward, Hogue, Jackson, Jamison, Kinne, Lyons, Molsberry, Saunders, Taylor, Wade, Warren, Wilson of Clinton, Young of Washington—21.

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

House file No. 171, a bill for an act to amend section twenty hundred fifty-two (2052) of the code, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Winne moved the adoption of the following committee amendments:

Amend the title by inserting after the word ''Code'' and before the period the words "relating to the collection of fees in the office of the Secretary of State".

Amend section one (1) by inserting the figures 2052 in parentheses after the word ''fifty-two'' in the first line thereof; also further amend said section by striking out the words and figures ''of 1897'' in the second line thereof, also further amend said section by striking out the figures "10" and parentheses inclosing same in the third line thereof and the figures "11" and parentheses in the fifth line; also further amend by adding the letter "s" to the word "declaration" in the fifth line.

Adopted.

Senator Winne moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crossley, Dowell, Eckles, Elerick, Ericson, Garst, Harper, Hayward, Hopkins, Hughes, Jones, Kimmel, Lambert, Lewis, Maytag, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager Turner, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun—31.

The nays were:

None,

Absent or not voting:

Bruce, Crawford, Dunham, Gale, Gillilland, Hartshorn, Hasselquist, Hogue, Jackson, Jamison, Kinne, Lyons, Molsberry, Saunders, Taylor, Wade, Warren, Wilson of Clinton, Young of Washington—19.

So the bill having received a constitutional majority was declared to have passed the Senate and it title as amended agreed to.

Senate file No. 118, a bill for an act to regulate the issuance, acceptance and use of free transportation, or transportation at less rates than are open to the general public, by railway, stree ailway and inter-urban railway companies, and to provide penties for the violation thereof with report of committee re commending indefinite postponment was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

Senator Garst moved that the Senate do now adjourn.

Carried.

Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER.
DES MOINES, IOWA, Monday, March 19, 1906.

Senate met pursuant to adjournment at 2 o'clock P. M., President Herriott presiding.

Prayer was offered by the Rev. Howland Hanson of Des Moines, Iowa.

On request of President Herriott leave of absence was granted Senator Crossley for the day.

On request of Senator Newberry, leave of absence was granted Senator Dunham for the day.

On request of Senator Young of Lee leave of absence was granted Senator Bleakly for the day.

On request of Senator Young of Lee leave of absence was granted Senator Taylor for the day.

On request of Senator Kimmel leave of absence was granted Senator Wade for the day.

On request of Senator Hughes leave of absence was granted Senator Stookey for the day.

On request of Senator Hughes leave of absence was granted Senator Hayward for the day.

On request of Senator Whipple leave of absence was granted Senator Gillilland for the day.

On request of Senator Turner leave of absence was granted Senator Saunders for the day.

On request of President Herriott leave of absence was granted Senator Bruce until Tuesday afternoon.

PETITIONS AND MEMORIALS.

Senator Stuckslager presented petition of druggist of Linn county, Iowa, favoring the passage of the proposed Patent Medicine bill.

Referred to committee on Pharmacy.

Senator Gale presented petition of business men of Franklin county favoring the Exemption law.

Referred to committee on Ways and Means.

Senator Young of Calhoun presented petition of voters of Webster county, Iowa, favoring the Reciprocal Demurrage bill.

Referred to committee on Railroads.

Senator Spaulding presented petition of physicians of Floyd county, Iowa favoring the passage of the Patent Medicine bill and the Tuberculosis Sanitarium bill.

Referred to committee on Public Health.

Senator Spaulding presented petition of voters of Floyd county favoring the passage of the Reciprocal Demurrage bill.

Referred to committee on Railroads.

Senator Gale presented petition of business and professional men of Hancock county asking the passage of the proposed Exemption bill.

Referred to committee on Ways and Means.

Senator Gale presented petition of business men of Cerro Gordo County urging the passage of the Exemption bill. Referred to committee on Ways and Means.

Senator Gale presented petition of voters of Cerro Gordo county asking the passage of the proposed Reciprocal Demurrage bill.

Referred to committee on Railroads.

Senator Ericson presented petition of business men of Ogden, Iowa, favoring the passage of the Exemption bill.

Referred to committee on Ways and Means.

Senator Winne presented petition of constituents favoring the passage of the proposed Exemption law.

Referred to committee on Ways and Means.

Senator Stuckslager presented petition of one hundred fifty-five constituents protesting against the enactment of a law abolishing supervisor districts or providing for the election of supervisors by the county at large.

Referred to committee on Tenure of Office.

Senator Dowell presented petition of Des Moines Alumni Association of the Iowa State College of Agriculture protesting against the passage of the bill placing the different educational institutions of Iowa under the management of a single board.

Referred to special committee on Educational Institutions

Senator Young of Washington presented petition of forty-seven voters of Henry county, urging the passage of the proposed Reciprocal Demurrage bill.

Referred to committee on Railroads.

Senator Young of Washington presented petition of residents of Riverside, Iowa, favoring House file No. 183 in regard to exemptions.

Referred to committee on Ways and Means.

Senator Young of Washington presented petition of forty-two business men of Washington, Iowa urging the passage of the proposed Exemption bill.

Referred to committee on Ways and Means.

INTRODUCTION OF BILLS.

By Senator Brooks, Senate file No. 326, a bill for an act to repeal sections four hundred fifty-eight (458) and four hundred fifty-nine (459) of the code and to enact a substitute therefor relating to taxation of dogs and injuries to domestic animals.

Read first and second time and placed on the calendar.

By Senator Young of Washington, Senate file 327, a bill for an act making an appropriation to provide an ice and refrigerating plant for the Mt. Pleasant State Hospital.

Read first and second time and referred to committee on Appropriation.

REPORT OF COMMITTEE.

Senator Brooks, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture to whom was referred House file No. 209, a bill for an act to encourage the planting of forest and fruit trees 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 same be referred to the committee on Horticulture and Foresty.

JNO. T. BROOKS,
Chairman.

Adopted and referred to the committee on Horticulture and Forestry.

THIRD READING OF BILLS.

House file No. 114, a bill for an act to amend chapter twelve (12) title eighteen (18) of the code, and to determine the priority of certain claims in the distribution of property in the hands of receivers, with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

Senator Jamison moved the adoption of the following committee amendments:

Amend section one (1) by inserting after the word "distribution" in the third line thereof, the following words, "after the payment of all costs".

Adopted.

Senator Jamison moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Brooks, Courtright, Dowell, Eckles, Elerick, Ericson, Gale, Garst, Harper, Hartshorn, Hasselquist, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Lambert, Lewis, Maytag, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun, Young of Washington—34.

The nays were:

None.

Absent or not voting:

Bleakly, Bruce, Crawford, Crossley, Dunham, Gillilland, Hayward, Hogue, Kinne, Lyons, Molsberry, Saunders, Stookey, Taylor, Wade, Wilson of Clinton—16.

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

Substitute for House file No. 26, a bill for an act to repeal chapter seventy-four (74) of the laws of the Thirtieth General Assembly relating to common carriers and additional to section twenty hundred seventy-four (2074) of the code and to provide a substitute therefor, with the report of the committee recommending passage, was taken up considered, and the report of the committee adopted.

Senator Young of Calhoun moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, *Shall the bill pass?*

The yeas were:

Brooks, Courtright, Dowell, Eckles, Elerick, Ericson, Gale Garst, Harper, Hartshorn, Hasselquist, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Lambert, Lewis, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun, Young of Washington—33.

The nays were:

None.

Absent or not voting:

Bleakly, Bruce, Crawford, Crossley, Dunham, Gillilland, Hayward, Hogue, Kinne, Lyons, Maytag, Molsberry, Saunders, Stookey, Taylor, Wade, Wilson of Clinton—17.

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

Senate file No. 268, a bill for an act appropriating money to pay the expenses of the members of the Iowa Shiloh Battlefield Monument Commission, the Iowa Vicksburg Park Monument Commission, the Iowa Lookout Mountain and Missionary Ridge Monument Commission, and the Iowa Andersonville Monument Commission, and their guests, upon a joint visit to the several fields upon which monuments have been erected under their supervision, for the purpose of dedicating the same, with report of committee recommending passage taken up, considered, and the report of the committee adopted.

Senator Garst offered the following substitute for the bill:

SUBSTITUTE FOR SENATE FILE NO. 268

A BILL for an act appropriating money to pay the expenses of the members of the Iowa Shiloh Battle Field Monument Commission, the Iowa Vicksburg Park Monument Commission, the Iowa Lookout Mountain and Missionary Ridge Monument Commission, the Iowa Andersonville Prison Monument Commission, speakers and musicians, upon a joint visit to the several fields upon which monuments have been erected under their supervision, for the purpose of dedicating the same.

Be it Enacted by the General Assembly of the State of Iowa.

Section 1. There is hereby appropriated the sum of seventy-five hundred dollars, ($7500) or so much thereof as may be neccessary, out of any money in the State treasury not otherwise appropriated, to pay the expenses of the members of the Iowa Shiloh Battlefield Monument Commission, the Iowa Vicksburg Park Monument Commission, the Iowa Lookout Mountain and Missionary Ridge Monument Commission and the Iowa Andersonville Prison Monument Commission, such speakers as may be invited and musicians upon a joint visit to the several battle fields and prison grounds, upon which the said Commissions have, under the authority of the State of Iowa, erected monuments to the memory of Iowa soldiers of the War of the Rebellion, for the purpose of dedicating the same.

Section 2. The sum so appropriated, or any part thereof, may be drawn upon the voucher or vouchers of the executive council, and shall be expended under its direction. Within thirty (30) days after the expenditures are so made, an itemized account thereof shall be made up by the executive council, and filed with the State auditor.

Section 3. All unexpended appropriations for the construction of the monuments under the supervision of the several Commissions, and all sums in said appropriations which have been set apart by law for the payment of expenses of dedication, shall be returned to the general funds of the state, it being the intent that the sum hereby appropriated shall cover all the expense of said dedications, except the expense of the Governor and his staff, which shall be paid out of the appropriations for the Governor's office.

The substitute was read first and second time.

Senator Garst asked unanimous consent that the rules be suspended and the bill be taken up for consideration at this time.

Consent granted.

The substitute was read for information.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

Senator Young of Washington moved thatthe substitute recommended by the committee be substituted for the original bill.

Carried.

Senator Young of Washington moved that the rules be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Brooks, Courtright, Dowell, Eckles, Elerick, Ericson, Gale, Garst, Harper, Hartshorn, Hasselquist, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Lambert, Lewis, Maytag, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun, Young of Washington—34.

The nays were:

None.

Absent or not voting:

Bleakly, Bruce, Crawford, Crossley, Dunham, Gillilland, Hayward, Hogue, Kinne, Lyons, Molsberry, Saunders, Stookey, Taylor, Wade, Wilson of Clinton—16.

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

Senator Brooks asked unanimous consent that Senate file No. 108, be referred to the committee on Ways and Means.

Consent granted.

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 bill in which the concurrence of the House was asked:

Senate file No. 173, a bill for an act to amend sections seventy (70), seventy-one (71) and one hundred forty-one (141) of the code, and to repeal the law as it appears insection one hundred twenty-five (125) of the supplement to the code and enact a substitute therefor, and to repeal the law as it appears in section one hundred twenty-six (126) of the supplement to the code, as amended by chapter five (5) of the acts of the Thirtieth General Assembly and enact a substitute therefor and to amend the law as it appears in section twenty-six hundred twenty-two (2622) of the supplement to the code relating to printing and binding.

C. R. BENEDICT.
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Substitute for Senate file No. 100, a bill for an act to amend section twenty-seven hundred eight (2708) of the code so as to raise the maximum age of commitment of females to the Industrial school to eighteen years.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No, 117, a bill for an act amending section eighteen hundred seventy-one (1871) of the code relating to the examination of State and Savings Banks.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 329 in which the concurrence of the House was asked.

A bill for an act to amend section one-hundred twenty-two (122) of the code relating to biennial reports of officers.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 332 in which the concurrence of the House was asked.

A bill for an act to amend section ten hundred ninety-three (1093) of the code relating to election boards.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

House file No. 16, a bill for an act amendatory and additiona to the law as it appears in title twelve (XII) of chapter nineteen-a (19-a) repealing section twenty-six hundred-i (2600-i) and enacting a substitute therefor and amending section twenty-six hundred-h (2600-h) of the supplement to the code, relative to the practice of dentistry, recognizing certificates of dental examiners of other states and territories, and providing for certificates of

removal of dentists from the state, with the report of the committee recommending passage, was taken up, considered, and the report of the committee, adopted.

Senator Turner moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Courtright, Dowell, Eckles, Elerick, Ericson, Gale, Harper, Hartshorn, Hasselquist, Hughes, Jackson, Jamison, Jones, Kimmel, Lambert, Lewis, Maytag, Newberry, Smith of Des Moines Smith of Mitchell, Spaulding, Stirton, Turner, Warren, Whipple, Wilson of Fayette, Young of Lee, Young of Calhoun, Young o Washington—29.

The nays were:

None.

Absent or not voting:

Bleakly, Brooks, Bruce, Crawford, Crossley, Dunham, Garst, Gillilland, Hayward, Hogue, Hopkins, Kinne, Lyons, Molsberry, Saunders, Stookey, Stuckslager, Taylor, Wade, Winne, Wilson of Clinton—21.

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

House file No. 275 a bill for an act to amend section seven hundred twenty-two (722) of the code, relative to the condemnation of property by cities and towns, for the purpose of constructing and maintaining dams across the waters and water courses of the state, in forming reservoirs and sources of water to supply water works or plants, with report of committee recommending passage, was taken up, considered, and the report of the committee, adopted.

Senator Eckles moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Brooks, Courtright, Dowell, Eckles, Elerick, Ericson, Gale, Harper, Hartshorn, Hasselquist, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Lambert, Lewis, Maytag, Newberry, Smith of Des Moines, Spaulding, Stirton, Turner, Warren, Whipple, Wilson of Fayette, Young of Lee, Young of Calhoun Young of Washington—30.

The nays were:

None.

Absent or not voting:

Bleakly, Bruce, Crawford, Crossley, Dunham, Garst, Gillilland, Hayward, Hogue, Kinne, Lyons, Molsberry, Saunders, Smith of Mitchell, Stookey, Stuckslager, Taylor, Wade, Winne, Wilson of Clinton—20.

So the bill having received a contitutional majority was declared to have passed the Senate and its title agreed to.

Senate file No. 126, a bill for an act for the protection of birds, their nests and eggs, the whole being additional to chapter fifteen (15), title twelve (12), of the code, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Courtright, moved the adoption of the following amendments recommended by the committee:

Amend section eight (8) of the printed bill by striking out the word "and" in the second line and inserting the words "Blackbirds and Crows" after the words Cooper's hawk.

Adopted.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Brooks, Courtright, Dowell, Eckles, Elerick, Ericson, Gale, Garst, Harper, Hartshorn, Hasselquist, Hopkins, Hughes, Jackson, Jones, Kimmel, Lambert, Lewis, Maytag, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Turner, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Washington—31.

The nays were:

None.

Absent or not voting:

Bleakly, Bruce, Crawford, Crossley, Dunham, Gillilland, Hayward, Hogue, Jamison, Kinne, Lyons, Molsberry, Saunders, Stookey, Stuckslager, Taylor, Wade, Wilson of Clinton, Young of Calhoun—19.

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

Senate file No. 213, a bill for an act to quiet the title to the north half of the northwest quarter and the southwest quarter of the northwest quarter of section eleven (11) township seventy-four (74) north, of range seventeen (17) west of the fifth principal meridian, Mahaska county, Iowa, and to authorize the issuance of patent covering the north half of the nortwest quarter of section eleven (11) township seventy-four (74) north of range seventeen (17) west of the fifth principal meridian, Mahaska County, Iowa, with report of committee recommending amendments and passage was taken up, considered, and there port of the committee adopted.

Senator Jones moved the adoption of the following committee amendments.

Amend the title by striking out all after the word "to" in the first line thereof and up to the word "township" in the third line, and inserting in lieu thereof the following: "authorize the revocation and cancellation of a patent issued for the west half of the northwest quarter of section one (1):"

Amend section two (2) by adding at the end of said section the following words: "Provided that nothing herein shall effect pending litigation."

Adopted.

Senator Jones moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Brooks, Courtright, Dowell, Eckles, Elerick, Ericson, Garst Harper, Hartshorn, Hasselquist, Hopkins, Hughes, Jackson, Jones, Kimmel, Lambert, Lewis, Maytag, Newberry, Smith of Des Moines, Spaulding, Stirton, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun—30.

The nays were:

None.

Absent or not voting:

Bleakly, Bruce, Crawford, Crossley, Dunham, Gale, Gillilland, Hayward, Hogue, Jamison, Kinne, Lyons, Molsberry, Saunders, Stookey, Taylor, Wade, Smith of Mitchell, Wilson of Clinton, Young of Washington—20

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

Senate file No. 275, a bill for an act making an appropriation for the equipment of a laboratory for the office of the Food and Dairy Commissioner, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

Senator Newberry moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Brooks, Courtright, Dowell, Eckles, Elerick, Ericson, Gale Harper, Hartshorn, Hasselquist, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Lambert, Lewis, Newberry, Smith of Des Moines, Spaulding, Stirton, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun, Young of Washington—31

The nays were:

None.

Absent or not voting:

Bleakly, Bruce, Crawford, Crossley, Dunham, Garst, Gillilland, Hayward, Hogue, Kinne, Lyons, Maytag, Molsberry, Saunders, Stookey, Taylor, Wade, Smith of Mitchell, Wilson of Clinton —19.

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

Senate file No. 249, a bill for an act relating to the rules for admission to the Soldiers' Home, with report of committee recommending a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senate Hughes moved that the substitute recommended by the committee be substituted for the original bill.

Carried.

Senator Hughes moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Courtright, Dowell, Eckles, Elerick, Ericson, Gale, Harper Hartshorn, Hasselquist, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Lambert, Lewis, Maytag, Newberry, Smith of Des Moines, Spaulding, Stirton, Stuckslager, Turner, Warren, Whipple, Winne, Young of Lee, Young of Calhoun, Young of Washington—30.

The nays were:

None.

Absent or not voting:

Bleakly, Brooks, Bruce, Crawford, Crossley, Dunham, Garst, Gillilland, Hayward, Hogue, Kinne, Lyons, Molsberry, Saunders, Stookey, Taylor, Wade, Smith of Mitchell, Wilson of Fayette, Wilson of Clinton—20.

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

Senate file No. 203, a bill for an act relating to the collection of poll tax and amending section fifteen hundred fifty (1550) of the code, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kimmel moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Brooks, Courtright, Dowell, Eckles, Elerick, Ericson, Garst, Gale, Harper, Hartshorn, Hasselquist, Hopkins, Hughes, Jackson,

Jamison, Jones, Kimmel, Lambert, Lewis, Maytag, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun, Young of Washington—34.

The nays were:

None.

Absent or not voting:

Bleakly, Bruce, Courtright, Crossley, Dunham, Gillilland, Hayward, Hogue, Kinne, Lyons, Molsberry, Saunders, Stookey, Taylor, Wade, Wilson of Clinton—16.

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

REPORT OF COMMITTEE.

Senator Brooks, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred Senate file No. 188, a bill for an act to repeal section fifteen hundred thirty (1530) of the code, relative to the levy of taxes for roads and highways, 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 following be substituted therefor and that snbstitute do pass.

JOHN T. BROOKS,

Chairman.

SUBSTITUTE FOR SENATE FILE NO. 188.

A Bill for an act to amend the law as it appears in section fifteen hundred thirty (1530) of the supplement to the code, relative to the levy of taxes for roads and highways.

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

Section 1. That the law as it appears in section fifteen hundred thirty (1530) of the supplement to the code, be amended by inserting after the word "towns" in the fifth line, the following: "Excepting in cases provided for by section twenty (20) chapter sixty-eight (68) of the laws of the Thirtieth General Assembly, when the board of supervisors may levy not to exceed one additional mill;" also by inserting after the word "council" in the twelfth line the following: "Excepting in cases where the board of supervisors make an additional levy for payment of drainage benefits assessed against roads and highways, when the entire amount arising from such additional levy shall be conveyed into the county road fund;" also by changing the period at the end of said section to a comma and adding the following thereto: 'unless an additional levy is made for the payment of drainage benefits to the roads and highways as above provided."

Section 2. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and Des Moines Daily Capital, two newspapers published in the city of Des Moines, Iowa.

The substitute was read first and second times and passed on file.

INTRODUCTION OF BILLS.

By Senator Dowell, Senate file No. 328, a bill for an act conferring power on cities of the first class to regulate and prohibit the emmission of dense smoke from chimneys and smoke stacks.

Read first and second time and referred to committee on Cities and Towns.

The Journal of Saturday was taken up, corrected and approved.

Senator Jamison moved that the Senate do now adjourn.

Carried.

Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, March 20, 1906

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. Horace S. Graves of Des Moines, Iowa.

PETITIONS AND MEMORIALS.

Senator Young of Washington presented petition of citizens of New London favoring the passage of the Exemption bill.

Referred to committee on Ways and Means.

Senator Smith of Des Moines, presented petition of physicians of Des Moines county urging the passage of Senate file No. 221 known as the Vaccination bill.

Referred to committe on Public Health.

Senator Wilson of Clinton, presented petition of citizens of Clinton, Iowa, requesting the passage of the Patent Medicine bill.

Referred to committee on Public Health.

INTRODUCTION OF BILLS.

By Senator Brooks, Senate file No. 329, a bill for an act to provide for the payments of certain expenses of indigent patients paroled or discharged from the state hospital for inebriates at Knoxville, and the hospital for female inebriates.

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

Senator Jamison offered the following resolution which was read.

RESOLUTION.

Resolved by the Senate, That the Poineer Law Makers Association of Iowa which meets in this city on the 20th, 21st and 22nd inst., be invited to visit the Senate at such time as may be most agreeable to them and that the President of the Senate appoint a committee of three to extend the invitation and make arrangements for the reception.

Senator Jamison moved the adoption of the resolution.

Adopted.

Senator Stookey asked unanimous consent that 200 extra copies of Senate file No. 296 be ordered printed.

Consent granted.

HOUSE MESSAGES CONSIDERED.

Senate file No. 173, a bill for an act to amend sections seventy (70), seventy-one (71) and one hundred forty-one (141) of the code, to repeal the law as it appears in section one hundred twenty-five (125) of the supplement to the code and enact a substitute therefor and to repeal the law as it appears in section one hundred twenty-six (126) of the supplement to the code, as amended by chapter five (5) of the acts of the Thirtieth General Assembly and enact a substitute therefor, and to amend the law as it appears in section twenty-six hundred twenty-two (2622) of the supplement to the code relating to printing and binding.

Ordered passed on file.

House amended and passed substitute for Senate file No. 100, a bill for an act to amend section twenty-seven hundred eight (2708) of the code so as to raise the maximum age of commitment of females to the Industrial School to eighteen years.

Read the first and second times and referred to committee Penitentiaries and Pardons.

Senate file No. 117, a bill for an act amending section eighteen hundred seventy-one (1871) of the code relating to the examination of state and savings banks.

Ordered passed on file.

House concurred in Senate amendments to House file No. 329, a bill for an act to amend section one hundred twenty-two (122) of the code relating to biennial reports of officers.

Order passed on file.

House concurred in Senate amendments to House file No. 332, a bill for an act to amend section ten hundred ninty-three (1093) for the code relating to election boards.

Ordered passed on file.

The President announced as the committee to extend an invitation to the Pioneer Law-Makers and make arrangements for their reception, Senators Jamison, Dowell and Taylor.

THIRD READING OF BILLS.

Senate file No. 96, a bill for an act to amend section twenty-seven hundred sixty-eight (2768) of the code in relation to school house funds was taken up and considered.

Senator Spaulding moved that the Senate concur in the following House amendments:

Amend the bill by striking out the word "house" where it appears in the bill and inserting the word "building" in lieu thereof.

On the question, Shall the Senate concur in the House amendments?

The yeas were:

Bleakly, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gillilland, Harper, Hartshorn, Hasselquist, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stookey, Stuckslager, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun—39.

The nays were:

None.

Absent or not voting:

Brooks, Bruce, Gale, Garst, Hayward, Hogue, Saunders, Stirton, Taylor, Turner, Young of Washington—11.

So the House amendments were concurred in.

Senate file No. 48, a bill for an act to legalize the acts of the board of directors and electors, and authorize the issuing of forty thousand dollars ($40,000) in school building bonds in the Independent school district of Lyons City, Clinton county, Iowa, and to validate said bonds, was taken up and considered.

Senator Wilson of Clinton moved that the following House amendments be concurred in:

Amend section one (1) by striking out the catch words "election and acts legalizing pending litigation."

Amend section two (2) by striking out the catch words "in effect."

Senator Newberry moved to re-refer Senate file No. 48 to the Judiciary committee.

On the question, Shall the bill be re-referred to the Judiciary committee?

A roll was demanded.

The yeas were:

Jackson, Jamison, Lambert, Newberry, Smith of Mitchell, Turner, Whipple, Wilson of Fayette, Young of Lee, Young of Washington—10.

The nays were:

Bleakly, Crawford, Crossley, Elerick, Ericson, Garst, Gillilland, Hartshorn, Hasselquist, Hopkins, Hughes, Jones, Kimmel, Kinne, Lewis, Lyons, Maytag, Molsberry, Spaulding, Stuckslager, Taylor, Wade, Warren, Wilson of Clinton, Winne, Young of Calhoun—26.

Absent or not voting:

Brooks, Bruce, Courtright, Dowell, Dunham, Eckles, Gale, Harper, Hayward, Hogue, Saunders, Stirton, Stookey, Smith of Des Moines—14.

So the motion to re-refer was lost.

On the question, Shall the House amendments be concurred in?

The yeas were:

Bleakly, Brooks, Crawford, Crossley, Eckles, Elerick, Ericson, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hughes, Kimmel, Kinne, Lyons, Maytag, Spaulding, Stirton, Stuckslager, Taylor, Wade, Warren, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun—27.

The nays were:

Dowell, Jamison, Lambert, Lewis, Newberry, Smith of Mitchell, Turner, Whipple, Wilson of Fayette—9.

Absent or not voting:

Bruce, Courtright, Dunham, Garst, Hayward, Hogue, Hopkins, Jackson, Jones, Molsberry, Saunders, Stookey, Smith of Des Moines, Young of Washington—14.

So the House amendments were concurred in.

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 concurred in Senate amendments to House file No. 23 in which the concurrence of the House was asked:

A bill for an act providing limitations for commencement of actions relative to real property additional to chapter two (2), title eighteen (18) of the code.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has failed to pass the following bill in which the concurrence of the House was asked:

Senate file No. 233, a bill for an act to amend section six-hundred forty-nine (649) and section six hundred fifty-one (651) of the code, relative to the election of town clerk and making the office appointive in Cities and Towns.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 344, a bill for an act to reimburse Charles Youde and G. R. Whitmer for expenses incurred in the election contest from the Eightieth Representative District of Iowa.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill, in which the concurrence of the House was asked:

Senate file No. 95, a bill for an act to provide for the registration of trained or graduate nurses and for the issuance of certificates thereto and to make it a misdemeanor for any person to advertise or profess to be a trained for graduate nurses without having first been registered as provided herein.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

Senate file No. 175, a bill for an act to amend sections five hundred sixty-five (565) and eleven hundred thirty (1130) of the code in relation to the election of township clerk and township trustees in townships, a part of which is included within the corporate limits of any city or town, was taken up and considered.

Senator Stookey moved the adoption of the following amendments:

Moved to amend by striking out of section one (1) of the printed substitute the words, "and township trustee or trustees" in lines three (3) and four (4) thereof.

Also:

The same words "and township trustee or trustees" in said section one (1) and place the period after the word "clerk" in line five (5) of said section.

Also:

Move to amend section two (2) by striking out of line four (4) "and trustee or trustees," also, by striking out of the last line of section two (2) the words "and township trustee or trustees," and placing the period after the word "clerk" in the last line of said section.

Adopted.

Senator Stookey moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Hasselquist, Jackson, Jamison, Jones, Spaulding, Stookey, Stuckslager, Taylor, Turner, Wilson of Clinton, Winne, Young of Calhoun—12.

The nays were:

Bleakly, Brooks, Courtright, Crawford, Crossley, Dowell, Eckles, Ericson, Hopkins, Hughes, Kimmel, Kinne, Lambert, Lewis, Lyons, Newberry, Stirton, Wade, Wilson of Fayette—19.

Absent or not voting:

Bruce, Dunham, Elerick, Gale, Garst, Gillilland, Harper, Hartshorn, Hayward, Hogue, Maytag, Molsberry, Saunders, Whipple, Young of Lee, Warren, Young of Washington, Smith of Des Moines, Smith of Mitchell—19.

So the bill having failed to receive a constitutional majority was declared lost.

Senate file No. 35, a bill for an act to amend section fifty-seven hundred sixteen (5716) of the code and to provide for the compensation of the chaplains of the penitentiaries, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Young of Lee moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Courtright, Crawford, Crossley, Dowell, Eckles, Elerick, Ericson, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hughes, Jackson, Kimmel, Kinne, Lewis, Lyons, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Brooks, Bruce, Dunham, Garst, Hayward, Hogue, Hopkins, Jamison, Jones, Lambert, Maytag, Molsberry, Saunders—13.

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

Senator Garst asked unanimous consent that the rules which require the Appropriation committee to report bills by the first Monday after March 15th, be extended ten days.

Consent granted.

The Senate resumed consideration of substitute for Senate file No. 189 which was under consideration March 16th.

Senator Hughes was called to the chair at 10:45 o'clock A. M.

The President resumed the chair at 11:30 o'clock A. M.

Senator Newberry moved that when the Senate adjourn it be until 2 o'clock P. M.

Carried:

Senator Dunham moved that the Senate do now adjourn.

Carried.

Senate stood adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M. President Herriott presiding.

INTRODUCTION OF BILLS.

By Senator Gale, Senate file No. 330, a bill for an act conferring upon women the right to vote for presidential electors.

Read first and second time and referred to committee on Constitutional Amendments and Suffrage.

REPORT OF COMMITTEE.

Senator Harper, from the committee on Military, submitted the following report:

MR. PRESIDENT—Your committee on Military to whom was referred House file No. 267, a bill for an act to amend the law as it appears in section twenty-six hundred four (2604) of the supplement of the code relating to officers of the Iowa Soldiers' Home, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

S. H. HARPER,
Chairman.

Ordered passed on file.

Senator Jamison, from the committee appointed to confer with the Pioneer Law Makers Association, submitted the following report:

MR. PRESIDENT—Your committee who was appointed by this body to confer with the Pioneer Law Makers Association and invite them to visit this body during their stay in the city, beg leave to report that they have extended the invitation to said association, and they have agreed to visit this body on Wednesday, March 21st, at 2:30 P. M.

JAS. H. JAMISON,
C. C. DOWELL,
L. L. TAYLOR.

Ordered passed on file.

Senator Young, from the committee on Public Health, submitted the following report:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate file No. 312, a bill for an act providing for the creation of a hospital board in cities having a population over twelve thousand five hundred (12,500) and providing for the construction and maintaining of a hospital therein, and authorizing the creation of an indebtedness therefor, and the levy of a tax upon the property in such cities and towns for the payment of said indebtedness for this purpose may in cities of the second class exceed one and one fourth per centum of the actual valuation of property in 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 same do pass.

HENRY YOUNG,
Chairman.

Also:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate file No. 228, a bill for an act to provide for the regulation of embalming and disposal of dead bodies, and to prevent the use of poisons in the preservation of dead bodies, and for a system of examination, registration and licensing of embalmers, and to impose penalties for the violation of its provisions, 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 recommendations that the same do pass.

HENRY YOUNG,
Chairman.

Order passed on file.

Also:

MR. PRESIDENT—Your committee on Public Health, to whom was referred Senate file No. 148, a bill for an act to require manufacturers of proprietary or patent drugs and medicines to properly label the same, and to regulate the sale of methyl alcohol (wood spirits) and providing penalties for the violation thereof, (additional to chapter eighteen (18) of title twelve (12) of the code relating to the practice of pharmacy), beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendations that the same be indefinitely postponed.

HENRY YOUNG,
Chairman.

Adopted.

So the bill was indefinitely postponed.

The President announced that he had received the following communication from the Governor:

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

GENTLEMEN—I have the honor to submit to you the second report of the Capitol Commission. I have endeavored to become familiar with the work done by the Commission, and it gives me pleasure to say that it has rendered faithful and efficient service to the State, and has expended the appropriations made for the purpose of improvment wisely and economically.

There are two matters which I desire to bring especially to your attention.

FIRE PROTECTION AND WATER SUPPLY.

As you will observe from the report, there will be no adequate protection against fire until a 12-inch water main is laid on Eleventh street from Des Moines to Walnut streets. The report of the expect employed by the Commission was submitted to me more than a year ago, with the request that I

confer with the Des Moines Water Works Company upon the subject. I held a conference with the manager of the company, and he peremptorily refused to make any changes in the present system for the reason, as he alleged, that the State of Iowa is rich, pays no taxes, and that therefore the company ought not to be required to expend money in order to protect State buildings.

It is obivious that these reasons are without merit. The Capitol Building s a part of the city of Des Moines. It is just as fully entitled to the protection from fire which the water works company was organized to give as any other buildings in the city; and if to furnish that protection it is necessary that there shall be a 12-inch main on Eleventh street, instead of a 4 or 6-inch main, the State can demand that such a main be laid, with exactly the same right that any other owner of property can insist upon protection.

Having met this refusal on the part of the water works company I address a communication to the City Council, a copy of which I attach hereto. This communication was, as I have been informed, referred to the proper committee, and although I have many times urged the committee to report, it has not done so. I earnstly recommend that the General Assembly take such action as will, under the advice of the Attorney General, result in compelling the Des Moines Water Works Company to perform its manifest duty.

FURTHER DECORATION OF THE CAPITOL BUILDING.

The Commission suggests that it would be wise to make provision for futher decorative paintings in the Capitol Building. I concur heartily in this suggestion, and beg to add a word which it would not have been appropriate for the Commission to speak.

When I appointed the Commission, I selected as one of its members an eminent Iowa artist—indeed one of the most eminent in the west. He has spent a large part of his life in our State, creating a sentiment for higher and better ideals in art. Had he not been a member of the Commission, I do not doubt that he would have been employed to paint some of the pictures which have already been provided for. The fact that he was a member of the Commission excluded him from consideration. He has given so much study to the scheme of decoration in the Capitol that there is no man better fitted to continue whatever work the General Assembly thinks should be done. I would like to see an Iowa artist leave his imprint upon the building which is a source of pride to every citizen of the State. If futher paintings are directed, I hope that such arrangements will be made in the appropriation that Mr. Cumming will not be excluded in determining who shall be employed.

Respectfully submitted,

ALBERT B. CUMMINS,

Governor.

August 1, 1905.

To the Mayor and City Council of the City of Des Moines, Iowa:

GENTLEMEN—In view of the inability of the fire department to obtain an adequte water pressure during the fire in the Capitol building occurring in January, 1904, the Capitol Commissioners employed an expert to make a

survey of the building and surroundings looking to more complete protection. The expert recommended that the State carry a water main entirely around the building, the outside main to connect with the main of the water works company at a point opposite the center of the building on Eleventh street. The expert futher reported that, with the building so equipped, it would be impossiable to secure adequate protection unless the water works company would lay a twelve-inch main on Eleventh street from Des Moines street to Walnut street. A careful consideration of the report of the expert convinced both the Executive Council and the Capitol Commission that the plan thus outlined was the only practicable one to give the Capitol building the needed protection against fire.

The Capitol Commission has already erected the stand-pipes in the building and is about to lay the main around the building. Some time ago I conferred with Mr. Charles S. Denman, the resident manager of the water works company, and laid before him on behalf of the State, a request for a twelve-inch main on Eleventh street, between Des Moines and Walnut streets. He very promptly and emphatically declined to lay the main, asserting, first, that his company was under no obligation to furnish protection against fire for such a building as the Capitol; and second, that the State was rich, and could afford to lay the main in the street for itself.

In view of this refusal, the State comes to the City Council, asking that it take such measures as will compel the Des Moines Water Works Company to respect and perform an obvious duty. I very respectfully submit that the water works company is under just as perfect an obligation to so adjust its system that adequate protection will be furnished to the Capito building as to any other building in the city of Des Moines, and the fact that the State is rich does not relieve the company in the slightest degree of the obligation it has assumed.

It is the opinion of the Executive Council—and I doubt not that it will be the opinion of the coming General Assembly—that the Capitol should be protected by such water pressure as will, in connection with our own stand-pipes carry the water to a point that will make it efficient in the event of another fire. While the State is not without means to enforce ultimately its rights in this matter, I feel, that the subject is one primarily for the City Council, and I submit it to you for such action as you may be advised should be taken.

With high respect, I am,

Yours very truly,

ALBERT B. CUMMINS.

Order passed on file.

The Senate resumed consideration of Senate file No. 189, which was under consideration at adjournment this morning.

Senator Bleakly was called to the chair at 2:55 o'clock P. M.

The President resumed the chair at 3:15 o'clock P. M.

The President announced that he had signed in the presence of the Senate, Senate files Nos. 237, 187, 91 and 244.

The Journal of yesterday was taken up, corrected and approved.

Senator Jamison moved that the Senate do now adjourn.

Carried.

Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, March 21, 1906.

Senate met in regular session at 9:30 A. M. President Herriott presiding.

Prayer was offered by Rev. J. P. Sanders of Keokuk, Iowa.

INTRODUCTION OF BILLS.

By Senator Whipple, Senate file No. 331, a bill for an act to amend the law as it appears in section (310) of the supplement to the code.

Read first and second time and referred to committee on Judiciary.

HOUSE MESSAGES CONSIDERED.

House concurred in Senate amendments to House file No. 23, a bill for an act providing limitation for commencment of actions relative to property additional to chapter two (2), title eighteen (XVIII) of the code.

Ordered passed on file.

House failed to pass Senate file No. 238, a bill for an act to amend sections six hundred forty-nine (649) and six hundred fifty-one (651) of the code relative to to the election of town clerk and making the office appointive in cities and towns.

Ordered passed on file.

House file No. 344, a bill for an act to re-imburse Charles Youde and G. R. Whitmer, for expenses incurred in the election contest from the Eightieth Representative District of Iowa.

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

House indefinitely postponed Senate file No, 95, a bill for an act to provide for the registration of trained nurses and for the issuance of certificates thereto and to make it a misdemeanor for any person to advertise or profess to be a trained or graduate nurse without having first been registered as provided herein.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Turner, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled Senate file No. 237, a bill for an act to amend the law relative to appropriation for law library as it appears in section twenty-eight hundred eighty-one-e (2881-e) of the supplement to the code.

Also:

Senate file No 187, a bill for an act to amend division twenty (20) of section four hundred twenty-two (422) of the code relating to the powers of the board of supervisors.

Also:

Senate file No. 91, a bill for an act to repeal the law as it appears in section twenty-five hundred seventy-a (2570-a) of the supplement to the code, and chapter ninety-eight (98), laws of the Thirtieth General Assembly, relating to quarantine, the care of infected persons and the payment of expenses incurred thereby and to enact a substitute therefor

Also:

Senate file No. 244. a bill for an act to legalize acknowledgments of instruments in writing heretofore taken by notaries public.

D. W. TURNER,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turner from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled Senate file No. 237, a bill for an act to amend the law relative to appropriation for law library as it appears in section twenty-eight hundred eighty-one-e (2881-e) of the supplement to the code.

Also:

Senate file No. 137, a bill for an act to amend division twenty (20) of section four hundred twenty-two (422) of the code relating to the powers of the board of supervisors.

Also:

Senate file No. 91, a bill for an act to repeal the law as it appears in section twenty-five hundred seventy-a (2570-a) of the supplement to the code and chapter nintey-eight (98) laws of the Thirtieth General Assembly relating to quarantine, the care of infected persons and the payment of expenses incurred thereby and to enact a substitute therefor.

Also:

Senate file No. 244, a bill for an act to legalize acknowledgments of instruments in writing heretofore taken by notaries public.

D. W. TURNER,
Chairman

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate file No. 237, a bill for an act to amend the law relative to appropriation for law library as it appears in section twenty-eight hundred eighty-one-e (2881-e) of the supplement to the code.

Also:

Senate file No. 187, a bill for an act to amend division twenty (20) of section four hundred twenty-two (422) of the code relating to the powers of the board of supervisors.

Also:

Senate file No. 91, a bill for an act to repeal the law as it appears in section twenty-five hundred seventy-a (2570-a) of the supplement to the code and chapter ninety-eight (98) laws of the Thirtieth General Assembly, relating to quarantine, the care of infected persons and the payment of expenses incurred thereby and to enact a substitute therefor.

Also:

Senate file 244 a bill for an act to legalize acknowledgments of instruments in writing heretofore taken by notaries public.

D. W. TURNER,
Chairman.

Senate resumed consideration of Senate file No. 189, which was under consideration at adjournment yesterday.

Senator Lambert was called to the chair at 10:25 o'clock A. M.

President Herriott resumed the chair at 10:45 o'clock A. M.

Senator Jamison moved that when the Senate adjourn it be until 2 o'clock P. M.

Carried.

MESSAGE RFOM THE HOUSE.

The following message was received from the House:

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

Senate file No. 30, a bill for an act to repeal section twenty-seven hundred thirty-four (2734) twenty-seven hundred thirty-five (2735) twenty-seven hundred thirty-six (2736) twenty-seven hundred thirty-seven (2737) of the code and twenty-seven hundred thirty-four (2734),' twenty-seven hundred thirty-six (2736) and twenty-seven hundred thirty-seven (2737) of the supplement to the code and to define the qualifications of the county superintendent, to provide for examination and certification of teacher for the public school, the classification of teachers certificates and regulation of same.

C. R. BENEDICT,
Chief Clerk.

Senator Young of Calhoun moved that House file No. 186 be referred to the Appropriation committee.

Carried.

The time having arrived the Senate stood adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M. President Herriott presiding.

REPORTS OF COMMITTEES.

Senator Crossly, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools to whom was referred Senate file No. 210 a bill for an act to repeal section twenty-seven hundred sixty three (2763) of the code, relating to notice of special meetings of boards of school directors, 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 same be amended by striking out section five (5) of the bill and when so amended the bill do pass.

JAMES J. CROSSLEY,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Schools to whom was referred Senate file No. 211, a bill for an act to repeal the law as it appears in section twenty-eight hundred twelve (2812) of the supplement to the code, relating to school district bonds, 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 same be indefinitely postponed.

JAMES J. CROSSLEY,
Chairman.

Ordered passed on file.

Senator Saunders asked unanimous consent that Senate file No. 240 be referred to the committee on Appropriations and that it retain its place on the calendar.

Consent granted.

REPORT OF COMMITTEE.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate file No. 166, a bill for an act providing for the compilation and publication of a roster of Iowa soldiers, sailors and marines, and soldiers, sailors and marines of other states and territories living in Iowa, in the War with Mexico and the War of the Rebellion, and the Spanish-American and Philippine Wars, including military service in the Spirit Lake Expedition, and other service against the Indians, and making an appropriation therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following bill be substituted therefor, and when so substituted the bill do pass.

WARREN GARST,
Chairman

SUBSTITUTE FOR SENATE FILE NO. 166.

A BILL for an act providing for the compilation of a roster of soldiers, sailors, and marines, suvivors of the Mexican and Civil Wars, now living in Iowa and making an appropriation therefor.

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

Section 1. That the Adjutant General and one soldier of the Civil War whose selection shall be made and certified to the Governor by the Commander of the Department of Iowa, Grand Army of the Republic, and who shall thereupon be commissioned by the Governor, which member so selected shall receive the same compensation as that now paid to the trustees of the educational institutions for the time actually and necessarily employed, shall constitute a board authorized to secure the compilation, of a complete roster of all soldiers, sailors, and marines, survivors of the Mexican and Civil Wars, now living in Iowa, giving their company and regiment and present place of residence, classified by states and regiments, corresponding to roster of Iowa Ex-soldiers, Sailors, and Marines living in Iowa, of 1886.

Section 2. Said compilation shall be under the direction of said board and the sum of twenty-five hundred ($2,500.00) dollars, or so much thereof as may be necessary, is hereby appropriated from any moneys, not otherwise appropriated, in the state treasury for the employment of extra help and other necessary expenses in carrying out the provisions of this act. No payment shall be made from the funds thus appropriated except on vouchers approved by the Executive Council.

Section 3. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in the city of Des Moines, Iowa.

The substitute was read first and second time and passed on file.

Senate resumed consideration of Senate file No. 189 which was under consideration at adjournment this morning,

The sergeant-at-arms announced the committee with the Pioneer Law-makers Association of Iowa, who were introduced by Senator Jamison, chairman of the committee.

The President asked the committee to escort Gen. J. B. Weaver, Col. B. F. Clayton, Hon. T. B. Perry and Mrs. Jessie Cheek to a seat at the President's desk and to direct the seating of the association on the west side of the chamber which had been vacated for that purpose.

The President expressed gratification for the opportunity of welcoming the Pioneer Law-makers Association of Iowa.

The President announced that Senator Gillilland would make the address of welcome on the part of the Senate.

Senator Gillilland spoke as follows:

THE COMMONWEALTH OF IOWA.

Pioneer law-makers, performers of good things, sharers of better things, fore-runners of the best things; as a son of Iowa Pioneers, a son of parents who settled in Mills county in 1852, as well as in behalf of the present splendid membership of this body I greet you most cordially and assure you that you are welcomed by us all with overflowing hearts.

"You ask what land I love the best–
Iowa, 'tis Iowa.
The fairest state of all the west–
Iowa, O! Iowa.
From yonder Mississippi's stream
To where Missouri's waters gleam
O! fair it is as poet's dream,
Iowa, in Iowa."

Pioneer law-makers, since the tie that bind us is that we and you have and have had the honor to make her laws, it has seemed to me fitting that I should speak today on the Commonwealth of Iowa. If in my remarks I shall succeed in quickening a single patriotic impulse or shall cause one of my hearers to love better the glorious state in which we live, or to appreciate more fully the value and significance of his own life therein, my reward will be ample.

The word commonwealth means both the government of a free state and the common well-being of a people who govern themselves.

The problem of the best government involves the construction of such a system as will most effectually provide for the common defense and promote the general welfare, with the least infringement of individual convenience—such an adjustment of the governmental machinery as will lead the people to feel its presence and power, not so much in its exactions and restraints, as in the rights it secures and the blessings it brings them.

The problem of the best society contemplates a condition in which all men must be free and equal, where there is no aristocracy except in the qualities of manhood itself, where tribute is laid on the rich and strong to support and educate the poor and weak; where, in short, all necessary means for the attainment of the best things in life are put into every willing hand, and, where the highest honors are within the reach of the humblest born.

Aye, taking the broad and ultimate view, what is the purpose of government? What is the mission of society? That this man may amass wealth? Yes, and no. That this man may attain position? Certainly yes, as certainly no. The so-called practical man may see nothing more in them. But these are neither the hope of the philosopher, nor the inspiration of the patriot. The true philosopher, the true patriot, the real lover of humanity finds in these two purposes mere means to an end, and that end the complete excuse for, the true occasion for, if not the supreme purpose of, both government and society, viz: the attainment of a fully equipped and full rounded manhood and womanhood—the perfection of character. And all government and society that interfere with or fall short of this high end are failures to the measure of such interference or shortage.

Now, with these general thoughts for guidance I want to trace—all too briefly it is true—the origin, growth and present life of Iowa, and add some reflections on this heritage of ours, and the opportunities and responsibilities that open to and rest upon each one of us as a unit of its existence.

Iowa was originally a part of the Louisiana Purchase, acquired by Jefferson from Bonaparte in 1803 for $15,000,000. It was first settled as Michigan territory and in 1836, when Michigan became a state, Iowa was left as part of Wisconsin territory.

The act which separated the territory of Iowa from that of Wisconsin was signed by Buchanan on June 17, 1838, and went into effect on July 4th of that year. Robert Lucas, who had been twice the governor of Ohio, was appointed by Buchanan as the governor of the new territory and Lucas proclaimed Burlington as the territorial capital.

The first constitutional convention was held in 1844. The vote of that year was adverse to the proposed constitution, and chiefly because the western boundary as therein provided would have run through about where Creston and Des Moines are now located, instead of the center of the Missouri river channel as later established.

The second constitutional convention was held at Iowa City in 1846, and the first state legislature convened in that city in the latter part of that year. Iowa was finally admitted as a state on the 28th of December, 1846 and Iowa City was made the first state capital. In 1857 the seat of government was fixed at Des Moines where it will doubtless remain for the ages to come.

At the territorial organization in 1838 Iowa had less than 20,000 people. There were two counties—Dubuque, with the city of that name as its county seat and Des Moines, with Burlington as its county seat. On her admission to statehood in 1846, Iowa's population was still below the 100,000 mark. Some idea of the wondrous growth of the state may be obtained by throwing a few figures into contrast.

Starting in then as a territory with but two counties and less than 20,000 population and as a state with but 97,583 people, she now has 99 counties and a population of 2,210,000.

Beginning her separate career with the old stage coach, the immigrant wagon, the ox-cart and flat-boat, today every river and stream is spanned by ample bridges, her 55,000 square miles of territory are traversed by 9,801 miles of steam railways, with hundreds of additional miles of city and interurban lines, and no county within her fair borders is so unimportant or obscure as to be without its railroad and telegraph and telephone lines.

Iowa is today not only free from debt, but she has now invested in school buildings alone $22,456,618, or in round numbers seven and one-half millions more money than was originally paid to France for the Louisiana Purchase; and she spent last year in support of her free public schools $10,789,610, or more than five-sixths as many millions as were included in the first entire assessment of the state. In these public school buildings 30,000 teachers are employed, and 375,563 pupils daily attend out of a total school population of 550,000. Her higher and special educational interests are represented by the State University at Iowa City, the College of Agriculture and Mechanic Arts at Ames, and the Normal School at Cedar Falls, each of which is superb in its own separate field and the joy and pride of every patriotic citizen of the state. Her defectives or unfortunates are properly taught or cared for at the institution for mutes at Council Bluffs, for the blind at Vinton, for the orphans at Davenport and for the feeble minded at Glenwood. Her incorrigible children are provided with the industrial home for girls at Mitchellville and for boys at Eldora. Her dear old veterans, who long since earned all the tenderness of care that a grateful people can bestow, are accorded a special abiding place in the home at Marshalltown. Her insane have every modern convenience, the application and operation of every advance in medical science, all that can be done by skilled heads and hands to restore the reason or relieve from pain, at Mt. Pleasant, Independence, Clarinda and Cherokee. Her men who have persistently violated the laws of their own being,

the debauchee and inebriate, are provided for at Knoxville, and the men who have feloniously violated the laws of the State are safely housed at Fort Madison and Anamosa. The total annual outlay of the State for all the institutions would reach a figure so enormous as to stagger the credulous. And let me not forget that her State buildings and grounds, in which she has about $40,000,000 invested, find their fitting crown in this unique and splendid structure in which we are assembled, which has been built and repaired at an outlay of $3,500,000, and yet, from Bob Finkbine to Abe Funk, without the loss or misuse of a penny to her people.

Our modern Messopotamia is situated on the fair uplands between two of the mightiest rivers of the continent, and her 35,000,000 acres are not only practically free from waste but are composed of a soil unsurpassed for fertility and variety of productions. The annual products of her farms, including live stock and poultry, amount in round numbers to $520,000,000 Her corn crop alone exceeds in value the annual output of all the gold and silver mines of the whole United States, and her cackling hens and her meek-eyed kine can buy you an empire while you wait. Iowa is supreme on corn because corn has been most tried, but she is annually broadening the field of experiment, and her crisp and tonicky and salubrious climate is being found to be good for many productions heretofore untried. The same number of people nowhere else on the globe add so much annually to the wealth of the world.

Her laws, made biennially by fifty men in the Senate and one hundred in the House, are liberal in exemptions almost to the point of profligacy and so strict against railroads and other corporations as to be the object of envy by nearly all her sister states.

But not alone in the fertility of her soil, the healthfulness of her climate, the volume of her commerce, the growth of her schools, or the wisdom and efficacy of her laws, but in the splendid manhood and womanhood of her citizenship does Iowa stand matchless and supreme.

If she has none excessively rich, she has no starving poor. If she has few men of letters, she has also few illiterates. If she has few statesmen, she has relatively fewer still who do not understand statecraft. If she has no great cities, she is thus happily freed from the crime and pestilence which they engender and nourish. If she has furnished few great soldiers. she has furnished few also, who in the sentiments of the people are not worthy to share the luster of Sherman and Grant. Her men are brave in war and gentle in peace. There is little chance in the virility of such blood for the production of dudes and hence very few of her sons turn up their trousers here because of a London rain.

Her women, too, are for the most part faithful adherents of the good, old-fashioned orthodox marriage and prefer to fix the mould of their worth and their virtues on the rising generation rather than to stir the resentment and arouse the antagonism of the mature man, believing that safety and healthiness of political judgment are better *taught into youth than voted onto maturity*, and having more faith in the effort to keep the stream of civilization pure at the fountain than in the vain endeavor to cleanse its volume as it passes on. And so they do not abandon the sweet and sacred

shrine of motherhood to follow the false goddess of public notoriety. The consequence is that husbands love their wives and sons their mothers, and the state is filled with a home-owning, home-keeping people, men and women "dwelling together in the hallowed supremacy of each others' affections."

Surprise is expressed sometimes by men from older states at the greatness and power of our representation in congress. Why, the explanation is simple. Iowa could have no other kind. The state is full of great, and strong, and efficient men, equipped for any duty. capable of any service. One reasen why we keep our men in congress so long is because we can spare them so readily; spare them, indeed, more readily here than they could be spared at the nation's capital. Aye, we men and women of Iowa are a peerless and majestic people. Not yet are we weakened by the presence of caste or by the rottenness and effeminacy which wealth and luxury and leisure produce. On the contrary we are but now in the full prime of the generation who are the immediate sons and daughters of Iowa's pioneers, a body of men and women who have known just enough of obstacle and just enough of hardship to test their mettle and develop their powers; a generation of men and women, indeed, who are the direct inheritors of that courage, persistence, endurance, intelligence, faith in God and faith in fellow-men, which remove the mountain and eliminate the sea to build the highway of progress for mankind.

You are not surprised that such people voluntarily support scores of colleges and academies in addition to those I have mentioned as the public and special schools; that they conduct thousands of Sunday-schools at a yearly expenditure of hundreds of thousands of dollars; that they have invested in church property $21,000,000 and that in their church buildings they can seat at one moment three-fifths of our entire population; that they have invested in private orphanages and rescue homes $750,000; and that they gladly expended therein last year $197,000; that they contribute annually for the spread of the Gospel nearly $3,000,000 and still have the snug sum of $316,000,000 deposited in the 1500 banks of the state.

A superb, a happy, a matchless people! All these great charities are carried, all these burdens of state and county and town taxation borne, by a people who go about their daily avocations as light of heart as the whistling farmer boy. Nowhere else do we find such complete examples of applied Christianity. Nowhere else do the precepts of the Gospel and the spirit of the beatitudes so fully permeate the lives of the people. Aye, nowhere else are public and private morals, the ideals of social life, the pulse of patriotism more lofty and pure, more vigorous and sane than in the proud state which we and you have, and have had the honor to represent in its legislative halls. Our standards are so high, the public conscience so keen, that the real danger is not that we shall not condemn the wrong when once set before us, but that we may condemn the innocent on charge, before they have been heard.

To be a worthy citizen of this great state is a prouder title and more significant and suggestive of the highest qualities of manhood than to be a potentate, prince or king of any monarchy on earth. And to be a participant in the making of her laws is to be the holder of a trust that none should take up with levity or pursue for a day without the devotion of all that is best and worthiest in his life.

Aye, the true Iowa patriot will not be consumed in the mere struggle for dollars or distinction, but he will find time for some thought of his relations to men and of his opportunities to lay up in their minds and hearts that treasure of good citizenship and wholesome influence which makes for peace and happiness for himself and his commonwealth.

O, wonderous Iowa, "rich in gold
But richer in the vast estate
Of virtue which thy children hold."

Now, my hearers, with such a heritage as I have but faintly pictured to encourage our aspirations and fire our zeal for achievement, with such superb and happy surroundings, what may we not accomplish for the growth and stability of free institutions, for the building of standards and the settings of ideals, both of manhood and government for the whole human race? When we have caught this conception of the patriot's chance and duty, we can begin to understand those immortal lines in Whittier's prevision of the republic:

"The great world-lesson all shall learn;
The nations in thy school shall sit,
Earth's farthest mountain tops shall burn
With watch fires from thine own uplit."

My hearers, shall we not let our souls be filled with a gratitude that flows in ever increasing volume to the gracious God who cast our lines in such a happy place? Let us all so live as to remind our posterity in turn, that fidelity, patriotism and faith in God, were the cherished virtues of our time, and thus provide the highest assurance and truest guaranty that the proud name of Iowa will be steadily upheld.

President Herriott then introduced Gen. J. B. Weaver, President of the Pioneer Law-makers Association of Iowa.

President Weaver announced that Col. B. F. Clayton would reply to the remarks of Senator Gillilland on behalf of the Pioneer Law-makers Association.

Col. B. F. Clayton addressed the Senate.

President Weaver then introduced Mrs Jessie Cheek who favored the association and Senate with the "Swiss Song Echo."

President Weaver then introduced Hon. T. B. Perry of Monroe county, who addressed the Senate.

President Weaver then addressed the Senate in a forceful and eloquent manner and recalled a heroic incident performed by J. H. Stewart one of the Assistant Doorkeepers of the Senate upon the battlefield of Corinth.

Senator Harper was introduced as the last speaker on behalf of the Senate and spoke as follows:

It is fitting that we should stop the wheels of legislation for a few minutes in this ball bearing age, in this age of lightning changes and rapid transit, and pay honor to the pioneer law makers of Iowa. We owe them a debt that we can never pay. Mr. President, my acquaintance with an early law maker carries me back a little more than a half century to my home in Wapello county. In the early fifties our people elected a member to the lower house of the legislature, which then convened in the old capitol building at Iowa City. In those early days there were no railways in Iowa and no excess of country roads. Our member, a few days before the legislature met, saddled his horse and rode over to Iowa City. He went to the House, was sworn in, he sat in his seat for four days, he observed, he heard, and he saw, but unlike Caesar he did not conquer. At the end of four days he went to the Speaker and said, Mr. Speaker, I have come to the conclusion that I will never make a statesman, that I am not cut out for a legislator. I observe that a half dozen men do all the talking and want to do all the business. As far as I am concerned they can do that. I feel that I can make hay better than I can laws, that I can curry horses better than I can curry favor with the Speaker and chairmen of the committees, therefore, I will bid you goodbye and go home. He went to his home and the next spring, he received a warrant for his salary. He returned it and had it covered back into the treasary, Now, Mr. President, in view of some of the bills that have been introduced into recent legislatures, I will ask if this man was not a good legislator?

He certainly possessed good judgment and a fine discrimination. I knew him in later years. He was a man of sterling integrity, a man that was respected by his neighbors. He only passed away a few years ago. The moral to this story can be inferred. Now, Mr. President, we owe a debt of gratitude to the pioneer law makers of Iowa that we can not and never will be able to repay. We owe them a debt of gratitude for dedicating this great state in the early days to freedom and forever prohibiting within our borders human slavery. We owe them a debt of gratitude for establishing one of the best free school systems in the State of Iowa that was ever established in any of the great middle states and for providing means for its maintenance. This system that they established has placed Iowa in the

front rank of intelligence. It has given us a high standard of citizenship. We are indebted to the pioneer law makers for their liberal laws, for their encouragement of internal improvements, for their encouraging the building of railways, for their encouraging immigration from the eastern states and from Europe. We are indebted to them for their patriotism during the War of the Rebellion, for their generosity in sending us aid in the way of surgeons, nurses and supplies to the battlefields, the hospitals and the camps in the South. These pioneer law makers blazed the way which we followed. They established the roads which we have travelled, they sowed the fields which we have garnered. They planted the trees and the vines, the fruits of which we have gathered. These pioneer law makers established this great structure of state. They laid its foundation deep in honesty and integrity. They built its walls broad and strong in justice and right and now my fellow citizens and Senators what material shall we use in continuing the building of this great structure. Shall we put into it factionalism, partisanship, graft and greed. No, God forbid, but let us put into this structure honesty, justice, equal rights and those materials that were put into its foundation by the early pioneers of the state. Let this building be continued without a flaw, without a spot, without a blemish, let it be a beacon light to the shipwrecked mariner, let it be a haven of rest for the weary traveler, let it be a house of refuge for the homeless wanderer.

President Weaver then announced in a few well chosen words the appreciation felt by the association for courtesies received and announced that they would repair to the House of Representatives to pay their respects to that body.

The President of the Senate expressed the appreciation and satisfaction of the Senate for the visit of the association and they withdrew.

Senator Jamison moved that the remarks of Senator Gillilland and Senator Harper be printed in the Journal.

Carried.

The President announced that he had received the following communication from the Governor:

To the Senate and House of Representatives of the Thirty-first General Assembly:—

GENTLEMEN—I have the honor to acknowledge the receipt of a resolution adopted by the Senate February 22, 1906, and concurred in by the House March 13, 1906, making certain inquiries touching the efforts of the railway lobby to defeat the proposed primary election law.

Recognizing that the information I have upon the subject to which the resolution relates is already in the possession of every member of the General Assembly, and also in the possession of every intelligent observer of public affairs, I nevertheless respond to the questions propounded in the resolution.

On the 20th day of February, 1906, I addressed the Republican voters of Iowa in a communication announcing my candidacy for renomination to the office of Governor. Inasmuch as the somewhat disjointed extracts from this communication that are quoted in the preamble to the resolution fail to convey an intelligent conception of my statements, I beg to quote that part of the communication which refers to the railway lobby and the primary election measure.

"While giving to the corporations the most complete protection of their legitimate enterprises, we must expel them from politics. We have but to look over the history of the past few years to know how determined they are. The struggle now going on in Washington shows how well they prepare themselves to resist the just demands of the people. The history of the last four years in Iowa is crowded with evidence of the determination of the railway companies not only to manage their railroads, but to manage the state as well. At this moment, they are opposing with might and main the proposition to abolish free passes and free transportation. They ought to welcome an enactment that will require those who ride upon their trains to pay for the service, but on the contrary they are employing every known device to kill or cripple the pending measure. Why? I leave you to answer the question.

"There is pending before the General Assembly a measure which, if it becomes a law, will permit the voters to make their nominations by direct vote, instead of through caucuses and conventions. It does not touch the operation of railways, it does not affect their revenues, and they have no legitimate interest in it. Nevertheless, they are exerting every ounce of strength which money and organization can create to defeat the primary election bill. They are hunting it to its death with a persistency and a vindictiveness I have never seen surpassed. A moment's reflection will show you why the allied corporate power has decided that there shall be no primary elections. They know that if the bill passes it will do more to lessen their influence in politics than any other measure now proposed for the public good. Let no man be deluded by the specious suggestion that primary elections will increase the power of railways. If so, these masters of intrigue who are now endeavoring to thwart the will of an overwhelming proportion of the voters of Iowa would not be spending the winter in Des Moines."

Concerning these statements, I am asked in the resolution:

"1st. How money is being used by the railroads to defeat the primary bill?"

An answer to the question involves a description of the manner in which a railway lobby ordinarily does its work. The railway lobby, here and elsewhere, has been in operation so long that most men understand fairly well how it furthers or retards proposed legislation. It expends money—great sums of money—but it rarely bribes. It ingratiates itself into the confidence of men through the respectability, the capacity, and the diplomacy of its representatives. It surveys a situation, and with keen perception understands how to aid men in attaining an ambition or accomplishing a much desired and oftentimes worthy object. It appreciates the force of public sentiment, and knows how to substitute fictitious for real opinions. It effects combinations so that it becomes helpful in defeating or passing measures through legislative bodies. It incites activity among the constituents of a member to the end that their desires, being frequently and emphatically expressed, may be accepted as the public will. It manipulates business relations so that the hope of gain or the fear of loss is made to play an important part in the pressure which the people bring to bear upon public servants.

If you will allow me, I will give you an illustration. For some time, there has been pending in Washington a bill which proposes to enlarge the authority of the Interstate Commerce Commission. In opposing the measure, the railway lobby brought into concert a great number of shippers, some of whom have received favors, some of whom expected to receive favors, and others who feared retaliation; and the voluminous petition of such shippers went forward to Washington as the voice of the business world. It secured the protest of thousands of honest, faithful employes, who had been made to believe that if the Interstate Commerce Commission should be given the power to fix a rate, the railway companies would reduce the compensation of the men in their service. It established prolific literary bureaus, from which emanated great quanties of printed matter, and these documents were circulated in every mail throughout the whole country. It hired agents to travel all over the United States, endeavoring to induce newspapers to publish ready-made editorials, and to print false and misleading statistics of infinite variety. In these and kindred ways, the railway companies have made their fight at Washington, and while the railway lobby in Des Moines is not so extensive, and has not adopted all these methods, it has pursued the same general plan. It has cultivated friendly relations with the legislature. It has been constant with its arguments, in season and out of season, against a primary law. It has tried to reach the people of various communities, by letter and by personal solicitation, to the end so they might be induced to advise their senators and representatives that the voters were opposed to a primary law.

It requires money to maintain a lobby. Salaries, hotel bills, stenographers, traveling expenses, and many other expenditures must be provided for, and these expenditures must come directly from the treasuries of the railway corporations.

It is perfectly fair for a railway company to appear, through its representatives, before the appropriate committees of the General Assembly, and either object to or favor any proposed legislation that affects its properties. I have, however, no sympathy with a lobby that goes beyond a fair presentation of argument. I can understand how these companies justify to themselves the maintenance of a lobby that keeps constant watch over bills that affect either the revenue or management of railroads. Bear in mind that the point of my charge against the railway lobby in Des Moines this winter, in so far as it has opposed the primary election measure, is this: that railroad companies have no interest, or ought to have no interest, in such a measure. It does not touch either their business, their receipts, or the management of their properties in the remotest degree. It relates to the form of our government, and concerns only the individual voter. For a railway lobby to oppose any manner such as a measure, or to interfere in any way with its passage is intolerable, and can mean but one thing; namely that the railway companies are determined to dominate, if they can, our political affairs.

Your second question is,—

"2nd. What legislators, if any, have been the recipients of this money?'

In the address to Republican voters from which I have been quoted, I did not, expressly or impliedly, accuse any member of the General Assembly of being bribed or of accepting money to influence his official action. I did not, expressly or impliedly, impugn the honesty of any member. There is no possible interpretation or construction of my language that imputes to any member a want of honor or a lack of integrity. I did not intend to reflect upon the motives of the General Assembly, nor upon any member of the body; nor did I even remotely suggest that those who opposed the passage of the primary election law were not doing so conscientously. The charge that I made was that the railway companies of the state were maintaining a lobby in the city of Des Moines for the purpose of defeating the proposed law, and that they were using the power that money and organization create to effect their object.

I retract nothing from this charge. I believe it to be true, and I reiterate it without change or modification. It must be obvious to you that from this charge no such inference can be drawn as is suggested in the resolution. I recognize that there may be honest differences upon this measure or any other. It is well known that the railway companies have made and are making tremendous efforts at Washington, through an organized lobby and through the expenditure of money, to defeat the bill extending the power of the Interstate Commerce Commission Nevertheless, there are members of Congress who are fighting the bill who are just as honest as those who are supporting it. My answer, therefore, to your second question is that I have not said that legislators have been the recipient of money from the railway companies, and there is no ingenuity of construction that can torture my statement into such a conclusion.

Your third question is,

"3rd. Who are the 'masters of intrigue that arespending the winter in Des Moines', and where are they located?"

I must decline to accept this question as a serious one. I cannot determine whether the purpose is to make me defend my rhetoric or to furnish a directory. If the former, I must submit to any criticism that your better taste may suggest; if the latter, I reply that the names of the men composing the active railway lobby in Des Moines are as well known to you as they are to me, and I very respectfully suggest that the most casual examination of the hotel registers will furnish a guide to their rooms.

Respectfully submitted,

ALBERT B. CUMMINS.

Senator Courtright moved that the Senate do now adjourn and that Senator Warren retain the floor.

Carried.

Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER
DES MOINES IOWA, Thursday, March 22, 1906.

Senate met in reguiar session at 9:30 o'clock A. M. President Herriott presiding.

Prayer was offered by the Rev. A. L. Frisbie of Des Moines, Iowa.

On request of Senator Hasselquist leave of absence was grant-Senator Crossley for the day.

PETITIONS AND MEMORIALS.

Senator Kimmel presented petition of voters of O'Brien county in favor of the Reciprocal Demurrage bill.

Referred to committee on Agriculture.

Senator Winne presented petitions of voters of Pocahontas and Humboldt counties in favor of the Reciprocal Demurrage bill.

Referred to committee on Agriculture.

Senator Bleakly presented petition of business men of Galva, Iowa, favoring the Exemption bill.

Referred to committee on Ways and Means.

INTRODUCTION OF BILLS.

By Senator Stuckslager, Senate file No. 332, a bill for an act to authorize the executive council to employ artists, have additional pictures painted upon the walls of the Capitol and appropriating the sum of five thousand dollars therefor.

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

REPORT OF COMMITTEE.

Senator Jamison, 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. 330, a bill for an act conferring upon women the right to vote for presidential electors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the reccommendation that the same do pass.

JAS. H. JAMISON,
Chairman.

Ordered passed on file.

The Senate resumed consideration of substitute for Senate file No. 189, which was under consideration yesterday afternoon.

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 bill in which the concurrence of the Senate is asked:

House file No. 320, a bill for an act to amend sections twenty-five hundred twenty-nine (2529), twenty-five hundred thirty (2530) and twenty-five hundred thirty-four (2534) of the code and repeal and enact substitutes for sections twenty-five hundred thirty-three (2533), twenty-five hundred thirty-eight (2538) thereof relating to the state veterinary surgeon.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 253, a bill for an act to prohibit unfair commercial discrimination between different sections, communities or localities, or unfair competition, and providing penalties therefor.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 17, a bill for an act to amend chapter two (2) title eight (8) of the supplement relative to the township trustees, the election, duties and compensation of road superintendents, the division and consolidation of road districts and the collection of property road tax.

C. R. BENEDICT,
Chief Clerk.

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.

House file No. 380, a bill for an act authorizing the executive council to grant a right-of-way for a boulevard over and along the east side of the southwest quarter of section twenty-seven (27), township seventy-eight (78) range twenty-four (24) west of fifth principal meridian.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 171 in which the concurrence of the House was asked:

A bill for an act to amend section twenty hundred fifty-two (2052) of the code.

C. R. BENEDICT,
Chief Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Turner from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 48 a bill for an act to legalize the acts of the board of directors and electors, and authorize the issuing of forty thousand ($40,000.00) dollars in school building bonds in the independent school district of Lyons City, Clinton county, Iowa and to validate said bonds.

Also:

Senate file 173, a bill for an act to amend sections seventy (70), seventy-one (71), and one hundred forty-one (141) of the code, and to repeal the law as it appears in section one hundred twenty-five (125) of the supplement to the code, as amended by chapter three (3) of the acts of the Thirtieth General Assembly, and enact a substitute therefor and to amend the law as it appears in section twenty-six hundred twenty-two (2622) of the supplement to the code, relating to printing and binding.

Also:

Senate file 117, a bill for an act amending section eighteen hundred seven-one (1871) of the code relating to the examination of state and savings banks.

Also:

Senate file 96, a bill for an act to amend section twenty-seven hundred sixty-eight (2768) of the code in relation to school building funds.

D. W. TURNER,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turner from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 23 a bill for an act providing limitations for the commencement of actions, relative to real property, additional to chapter two (2) title eighteen (XVIII) of the code.

Also:

House file No. 198, a bill for an act to repeal the law as it appears in section seventeen hundred eighty-four (1784) of the supplement to the code, relating to assessment life insurance associations, and to enact substitute therefor.

Also:

House file No. 199, a bill for an act to amend section sixteen hundred eighty-nine (1689) of the code relating to mutual insurance companies.

Also:

House file No. 208, a bill for an act relating to the assessment and taxation of property in special charter cities, and providing that section thirteen hundred five (1305) of the code shall not apply to such cities.

Also:

House file No. 214, a bill for an act to amend section nine hundred two (902) of the code.

Also:

House file No. 258, a bill for an act to legalize the appointment of trustees for Cedar township, Linn county, Iowa, by the auditor of said county for the year 1906.

Also:

House file No. 246, a bill for an act to legalize the incorporation of the town of Jamaica, Guthrie county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the council of said town.

Also:

House file No. 322, a bill for an act to legalize the incorporation of the town of Yale, Guthrie county, Iowa. the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the council of said town.

Also:

House file No, 285, a bill for an act to legalize the special election held in Armstrong, Monday, May 18, A. D., 1903, granting a franchise to the Armstrong Light & Heating Company, and all the ordinances, resolutions and acts of said council with reference thereto recited in this act.

Also:

House file No. 329, a bill for an act to amend section one hundred twenty-two (122) of the code, relating to biennial reports of officers.

Also:

House file No. 318, a bill for an act to legalize the incorporation of the town of Woodbine, Harrison county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the council of said town.

Also:

House file No. 332, a bill for an act to amend section ten hundred ninety-three (1093) of the code, relating to election boards.

Also:

Senate file No, 48, a bill for an act to legalize the acts of the board of directors and electors, and authorize the issuing of forty thousand ($40,000) dollars in school building bonds in the independent school district of Lyons City, Clinton county, Iowa, and to validate said bonds.

Also:

Senate file No. 173, a bill for an act to amend sections seventy (70), seventy-one (71), and one hundred forty-one (141) of the code and to repeal the law as it appears in section one hundred twenty-five (125) of the supplement to the code and to enact a substitute therefor, and to repeal the law as it appears in section one hundred twenty-six (126) of the supplement to the code, as amended by chapter five (5) of the acts of the Thirtieth General Assembly, and to enact a substitute therefor and to amend the law as it appears in section twenty-six hundred twenty-two (2622) of the supplement to the code, relating to printing and binding.

Also:

Senate file No. 117, a bill for an act amending section eighteen hundred seventy-one (1871) of the code relating to the examination of state and savings banks.

Also:

Senate file No. 96, a bill for an act to amend section twenty-seven hundred sixty-eight (2768) of the code in relation to school building funds.

D. W. TURNER,
Chairman Senate Committee.

H. L. SPAULDING,
Chairman House Committee.

Ordered passed on file.

The President announced that he had signed in the presence of the Senate, Senate files Nos. 173, 48, 96 and 117; also House file Nos. 214, 258, 329, 246, 285, 322, 208, 23, 198, 199, 318 and 332.

President pro tem Smith was called to the chair at 11:12 o'clock A. M.

The President resumed the chair at 11:35 o'clock A. M.

Senator Gillilland moved that the time of adjournment be extended until discussion on the bill is ended, the bill read its third time and placed upon its passage.

Carried.

Senator Lambert moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Brooks, Bruce, Crawford, Dunham, Eckles, Elerick, Garst, Harper, Hartshorn, Hasselquist, Hopkins, Hughes, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Young of Lee, Young of Calhoun, Young of Washington—32.

The nays were:

Bleakly, Courtright, Dowell, Ericson, Gale, Gillilland, Hayward, Hogue, Jackson, Jamison, Jones, Molsberry, Spaulding, Stookey, Stuckslager, Winne—16.

Absent or not voting:

Crossley, Wilson of Clinton—2.

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

REPORTS OF COMMITTEES.

Senator Dowell, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 235, a bill for an act to regulate and control the sale or disposal of stocks of merchandise in bulk, and to provide a penalty for the violation thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Senator Garst from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 298, a bill for an act for the relief of W. J. McAhren, and making an appropriation of one hundred fifty-one and ninety one-hundredths ($151.90) dollars 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.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No, 139, a bill for an act appropriating the sum of twenty-five hundred ($2500) dollars to pay M. H. Byers for his services in prosecuting and collecting the claim of the State of Iowa against the United States government for money expended by the State in aiding the government to equip and place in the field its soldiers for the Spanish war, beg leave to report that they have 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.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR: PRESIDENT—Your committee on Appropriations, to whom was referred House file No. 344, a bill for an act to reimburse Charles Youde and G. R. Whitmer for expenses incurred in the election contest from the Eightieth Representative District 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 do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT Your committee on Appropriations, to whom was referred Senate file No. 240, a bill for an act to revise the law relating to the sentence and commitment of persons convicted of a crime, and providing for a system of parole and reform and to create the necessary officers therefor, defining their powers and duties, and to fix their compensation, and appropriating the money necessary to carry the same into effect, and to repeal all acts and parts of acts in conflict therewith, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Strike out all of section eleven (11) of the original bill and insert in lieu thereof the following: "There is hereby appropriated annually from any funds in the State treasury not otherwise appropriated the sum of seven thousand five hundred ($7,500) dollars, or so much thereof as may be necessary, to pay the salaries and expenditures herein authorized," and when so amended the bill do pass.

WARREN GARST,
Chairman

Ordered passed on file.

Senator Saunders asked unanimous consent to have substitute for Senate file No. 240 printed as a bill.

Consent granted.

Senator Newberry moved that the Senate do now ad ourn

Carried.

Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Friday March 23, 1906.

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. Chas. A. Parkin, of Reinbeck, Iowa.

On request of Senator Newberry, leave of absence was granted Senator Dunham for the day.

PETITIONS AND MEMORIALS.

Senator Spaulding presented petition of citizens of Charles City, Iowa, in favor of House file No. 338, giving inmates of the state institutions absolute freedom of religious worship.

Referred to committee on Penitentiaries and Pardons.

Senator Kinne presented petition of citizens of Curlew, Iowa, in favor of the Reciprocal Demurrage bill.

Referred to committee on Agriculture.

Senator Young of Washington, presented petition of citizens of Mt. Pleasant, Iowa, In favor of House file No. 338, relating to freedom of worship of inmates of state institutions.

Referred to committee on Penitentiaries and Pardons.

Senator Crossley presented petition of Doctors of Adair County, against legislation making an Osteopath a member of the State Board of Health and Medical Examiners.

Referred to committee on Public Health.

Senator Ericson presented petition of citizens of Pilot Mound, Iowa, in favor of the Exemption bill.

Referred to committee on Ways and Means.

Senator Kimmel presented petition of citizens of Sheldon, Iowa, against the Homestead Exemption bill, also against House file No. 133, relative to labor demonstrations and strikes.

Referred to committee on Ways and Means.

Senator Crawford presented remonstrance of justices of the peace and constables of Julien township, Dubuque county, Iowa, against the bill amending section forty-six hundred (4600) of the code, relating to compensation of justices of the peace and constables.

Referred to committee on Judiciary.

Senator Wilson of Clinton presented petition of citizens of DeWitt township, Clinton county, Iowa, in favor of House file No. 338 relating to the freedom of worship of the inmates of state institutions.

Referred to committee on Penitentiaries and Pardons.

Senator Lewis called up the concurrent resolution offered by him on March 9th, relative to final adjournment.

Senator Lewis moved the adoption of the concurrent resolution.

Senator Molsberry moved to amend the concurrent resolution by making it read April 10th instead of April 4th.

Senator Saunders moved to amend the amendment to the concurrent resolution by making it read April 6th instead of April 10th.

On the question, Shall the amendment to the amendment be adopted?

A roll call was demanded.

The yeas were:

Bleakly, Dowell, Eckles, Elerick, Ericson, Gillilland, Harper, Hasselquist, Hogue Hopkins, Hughes, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Maytag, Newberry, Saunders, Smith of Des Moines, Stookey, Taylor, Wade, Wilson of Clinton, Young of Lee, Young of Calhoun.—27.

The nays were:

Brooks, Courtright, Crawford, Crossley, Gale, Garst, Hartshorn, Hayward, Lyons, Molsberry, Smith of Mitchell, Spaulding, Stuckslager, Warren, Whipple, Wilson of Fayette, Winne, Young of Washington.—18.

Absent or not voting:

Bruce, Dunham, Jackson, Stirton, Turner.—5.

So the amendment to the amendment was adopted.

On the question, Shall the amendment as amended be adopted?

The amendment as amended was adopted.

On the question, Shall the concurrent resolutions as amended be adopted?

The concurrent resolutions as amended were adopted.

Senator Hayward on behalf of the committee on Retrenchment and Reform introduced the following committee resolutions:

CONCURRENT RESOLUTION NO. 5.

WHEREAS, the biennial report of the State Board of Health for the period ending June 30, 1905, has not yet been printed, and

WHEREAS, it cannot be printed before the adjournment of the Thirty-first General Assembly, and

WHEREAS, the fiscal period will close on June 30, 1906, when another report should be published, therefore

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

That copy for the biennial report of the State Board of Health be recalled from the State Printer and returned to the Secretary of the said Board of Health and said report be not printed.

Senator Hayward moved the adoption of the concurrent resolution.

Adopted.

Senator Lewis moved to reconsider the vote by which the concurrent resolutions relative to adjournment was adopted and moved that the motion be laid upon the table.

On the question, Shall the motion prevail?

A roll call was demanded.

The yeas were:

Dowell, Harper, Hartshorn, Jamison, Jones, Lambert, Lewis, Lyons, Maytag, Newberry, Smith of Des Moines, Smith of Mitchell, Stirton, Taylor, Wade, Wilson of Fayette, Wilson of Clinton Young of Calhoun, Young of Washington— 19.

The nays were:

Bleakly, Brooks, Courtright, Crawford, Crossley, Eckles, Elerick, Ericson, Gale, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Kimmel, Kinne, Molsberry, Saunders, Spaulding Stookey, Stuckslager, Turner, Whipple, Young of Lee—25.

Absent or not voting:

Bruce, Dunham, Garst, Gilliland, Warren, Winne—6.

So the the motion was lost.

HOUSE MESSAGES CONSIDERED.

House file No. 320, a bill for an act to amend sections twenty-five hundred twenty-nine (2529), twenty-five hundred thirty (2530) and twenty-five hundred thirty-four (2534) of the code, and repeal and enact substitutes for sections twenty-five hundred thirty-three (2533) and twenty-five hundred thirty-eight (2538) thereof relating to the State Veterinary Surgeon.

Read first and second time and referred to committee on Agriculture.

House file No. 253, a bill for an act to prohibit unfair commercial discrimination between different sections, communities or localities or unfair competition and providing penalties therefor.

Read first and second time and referred to committee on Judiciary.

House file No. 17, a bill for an act to amend chapter two (2) title eight (8) of the supplement relative to the township trustees, the election, duties and compensation of road superintendents, the division and consolidation of road districts and the collection of property road tax.

Read first and second time and referred to committee on Roads and Highways.

House file No. 380, a bill for an act authorizing the executive council to grant a right of way for a boulevard over and along the east side of southwest quarter of section twenty-seven (27), township seventy-eight (78) range twenty four (24), west of the fifth principal meridian.

Read first and second time and referred to committee on Public Lands.

House concurred in Senate amendments to House file no 171, a bill for an act to amend section twenty hundred fifty-two (2052) of the code.

Ordered passed on file.

House amended and passed Senate file No. 30, a bill for an act to repeal sections twenty-seven hundred thirty-four (2734) twenty-seven hundred thirty-five (2735) twenty-seven hundred thirty six (2736) twenty-seven hundred thirty-seven (2737) of the code and twenty-seven hundred thirty-four (2734) twenty-seven hundred thirty-six (2736) twenty-seven hundred thirty-seven (2737) of the supplement to the code and to define the qualifications of county superintendents to provide for examination and certification of teachers for the public schools, the classification of teachers' certificates and regulation of the same.

Ordered passed on file.

Senator Hogue asked unanimous consent that Senate file No. 17 be re-referred to the committee on Corporations and that it retain its place on the calendar.

Consent granted.

REPORTS OF COMMITTEES.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 343, a bill for an act to authorize the Executive Council to employ artists, have additional decorative pictures painted upon the walls of the capitol, and appropriating the sum of five thousand (5,000) dollars 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.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate file No. 329 a bill for an act to provide for the payment of certain expenses of indigent patients paroled or discharged from the state hospital for inebriates at Knoxville, and the hospital for female inebriates, 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 the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate file No. 234, a bill for an act to fix and define the salary of the members of the Board of Control of 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 same be amended as follows:

Amend line six (6) of section one (1) of the original bill by changing the words and figures "four thousand ($4,000) dollars" to "three thousand six hundred ($3,600) dollars."

Your committee also further recommends that this bill be re-referred to the committee on Compensation of Public Officers.

WARREN GARST,
Chairman.

Adopted.

Referred to committee on Compensation of Public Officers.

Also:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 279, a bill for an act additional to and amendatory of chapter one (1), title eleven (XI) of the code and the law as it appears in chapter one (1), title eleven (XI) of the supplement to the code and chapter seventy-seven (77) of the acts of the Thirtieth General Assembly, relative to the State military force and Iowa National Guard, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Strike out all of section sixteen (16) of the original bill and insert the following in lieu thereof. "That the law as it appears in section twenty-two hundred eleven (2211) of the supplement to the code be and the same is hereby amended by inserting the words 'the Assistant Adjutant General shall receive an annual salary of one thousand five hundred dollars' after the word 'peace' in the fourth line thereof."

Also:

In section eighteen (18) of the original bill, in line four (4), strike out the words "One Hundred" and insert the words "Eighty-two in lieu thereof, and in line six (6) of section eighteen (18) change the figures "100 - 000" to "82,000," and when so amended the bill do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred House file No. 274 a bill for an act to repeal sections twenty-five hundred (2500), twenty-five hundred one (2501), and twenty-five hundred two (2502) of the code, relative to the geological surveys and the duties of the State Geologist, 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 same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate file No. 88, a bill for an act making an appropriation for the construction of a new cell-house and equipping the same for the penitentiary at Ft. Madison, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

WARREN GARST,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Lewis, from the committee on Elections, submitted the following report:

MR. PRESIDENT—Your committee on Elections to whom was referred Senate file No. 291 a bill for an act to amend section eleven hundred six (1106) of the code relative to placing names of candidates upon the ballots to be used 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 the same do pass.

L. W. LEWIS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Elections to whom was referred Senate file No. 121 a bill for an act providing for the nomination by political parties or organizatione of candidates for various offices and the election of delegates to conventions of said political parties or organizations by a primary election and otherwise and for the holding of conventions by such political parties or organizations, beg leave to report that 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.

L. W. LEWIS,
Chairman.

Adopted.

So the bill was indefinitely posponed.

Senator Elerick, 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. 172, a bill for an act to encourage the planting of forest and fruit trees 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 same be indefinitely postponed.

JAMES ELERICK,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Horticulture and Forestry to whom was referred House file No. 209, a bill for an act to encourage the planting of forest and fruit trees 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 same do pass.

JAMES ELERICK,
Chairman.

Ordered passed on file.

Senator Hartshorn, from the committee on Printing, submitted the following report:

MR. PRESIDENT—Your committee on Printing, to whom was referred House file No. 244, a bill for an act changing the law as to the publication of legal notices, beg leave to report that 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 Judiciary committee.

F. C. HARTSHORN,
Chairman.

Adopted and the bill referred to the Judiciary committee.

Senator Eckles, from the committee on Claims submitted the following report:

MR. PRESIDENT—Your committee on Claims to whom was referred Senate file No. 277, a bill for an act appropriating the sum of one hundred ($100) dollars to pay E. S. Frank for money advanced by him to the State of Iowa as rent for certain lake beds situated in Wright and Hancock counties, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass, and that the same be referred to the committee on Appropriations.

CHAS. ECKLES,
Chairman.

Adopted, and the bill referred to Appropriation committee.

MOTION TO RECONSIDER.

Senator Gillilland filed the following motion to reconsider:

I move to reconsider the vote by which the resolution passed the Senate for sine die adjournment at noon on April 6, 1906.

SHIRLEY GILLILLAND.

REPORT OF COMMITTEE.

Senator Dowell, 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 amendatory to chapter six (6), title three (3) of the code, extending the jurisdiction of Superior Courts in cities which are not county seats, and which have now, or may hereafter have, a population of twenty-five thousand or more; 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 the same do pass amended by adopting the following substitute:

SUBSTITUTE FOR SENATE FILE NO. 220.

A BILL for an act amendatory to chapter six (6), title three (3) of the code, extending the jurisdiction of superior courts in cities which are not county seats, and which have now, or may hereafter have, a population of twenty-five thousand or more; providing for changes of venue from superior courts in such cities; providing for trial by jury in superior courts in such cities; providing for the number of jurors in such courts in such cities and the manner of their selection; providing the manner of making certain judgments of courts in such cities liens upon real estate; providing that the filing of petitions in such courts in such cities which affect real estate shall charge third persons with notice of the pendency of the action upon filing a notice of pendency; providing for the salary of the judge of the superior court in such cities; providing for the compensation of the shorthand reporter of such court in such cities; and providing that the act shall apply to cities acting under special charter.

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

Section 1. In all cities which are not county seats and which have now, or may hereafter have a population of twenty-five thousand or more, and in which superior courts may now, or may hereafter be established, the jurisdiction of such superior courts shall, in addition to the jurisdiction conferred by chapter six (6), title three (3) of the code, extend to actions for divorce, alimony and separate maintenance.

Judgments in such actions shall, upon a transcript thereof being filed in the office of the clerk of the district court of the county wherein such superior court is held, have the same force and effect, in all respects, upon dower or other interests in real estate, and be enforced in the same manner, as judgments rendered in the district court; but a failure to file such transcript shall not affect the validity of the judgment as between the parties thereto.

The provisions of section two hundred seventy-three (273) of the code shall also, in all respects, be applicable to such judgements the same as to other judgments of said courts.

Section 2. In all such cities no change of venue from such superior courts shall be granted except for such causes as the venue is changed from the district court, provided, that a change of venue to the district court of the county in which the city is situated shall be granted upon application of a party defendant, made before any pleading is filed by him, who was at the time of the commencement of the action a non-resident of such city and was a resident of such county, but where one of the defendants is a resident of such city no change of venue shall be granted. In the event such an action fail against all the defendants who are residents of such city such non-residents of the city who are residents of the county may, upon motion, have said cause dismissed, unless they have appeared to the action, fail to object before judgement is rendered against them.

Section 3. In all such cities it shall be unnecessary in such superior court to make demand for trial by jury, and causes triable to a jury shall be tried to twelve jurors without the additional expense to any of the parties required by section two hundred seventy (270) of the code.

Section 4. In providing jurors for superior courts in all such cities the names of twenty-four persons shall be drawn by the officers at the times and in the manner provided by section two hundred sixty-nine (269) of the code, and such persons whose names are drawn shall be subject to jury duty, and shall constitute the regular panel of jurors in said superior courts, for the two calendar months commencing with the first day of the month succeeding the drawing. The judges of the superior courts may order such additional drawing to be made as may be necessary to provide jurors for such courts.

Section 5. When a petition has been filed in any such court in all such cities, affecting real estate, including actions for divorce, alimony and separate maintenance, the action is pending, so as to charge third persons with notice of its pending, and, while pending, no interest can be acquired by third persons in the subject matter thereof as against the plaintiff's rights, upon condition that the plaintiff file with the clerk of the district court of the county wherein such real estate is situated, a notice of the pendency of the action, containing the names of the parties, the object of the action and a description of the property in that county affected thereby. Said clerk shall at once index and enter a memorandum thereof in the imcumbrance book and, from the time of such indexing, the pendency of the action shall be constructive notice to subsequent purchasers or incumbrancers thereof, who shall be bound by all the proceedings taken after the filing of such notice to the same extent as if parties to the action. Within two months after the

determination of the action, there shall also be filed with the clerk of the said district court a certified copy of the final order, judgment or decree who shall enter and index the same as though rendered by the said district court, or such notice of pendency shall cease to be constructive notice.

Section 6. In all such cities the salary of the judge of the superior court shall be three thousand dollars per annum, and paid quarterly; the first two quarters from the city treasury, and the last two from the county treasury of the county wherein said court is located.

Section 7. In all such cities the compensation of the shorthand reporter of the superior court shall be the same as that of the shorthand reporter of the district court, and shall be paid out of the county treasury of the county wherein such court is located.

Section 8. This act shall apply to cities acting under special charters, which are not county seats, and which now have, or may hereafter have, a population of twenty-five thousand or more.

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

The substitute was read first and second time and passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 358 a bill for an act to legalize certain instruments executed by corporations affecting the title of real estate, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 281, a bill for an act fixing the terms upon which electric current other than telegraphic or telephone may be transmitted from place where same is generated to where use is made thereof, along the public highways, and across private lands, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No: 196, a bill for an act to amend section two hundred eighty-eight (288) of the code relating to sale book record, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 22, a bill for an act prohibiting the employment of children in immoral exhibitions and in immoral places, and providing punishment therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 153, a bill for an act to amend section thirteen hundred seventy-three (1373) of the code in relation to appeals from the Board of Review to 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 same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR, PRESIDENT—Your committee on Judiciairy, to whom was referred House file No 167, a bill for an act to repeal chapter thirty-one (31) of the laws of the General Assembly and to enact a substitute therefor relating to sewers in cities and in 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 the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 253, a bill for an act to amend section four hundred sixty-nine (469) of the code, relative to the compensation of members 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 the same be referred to special committee on Tenure of Office.

C. C. DOWELL,
Chairman.

Adopted and the bill referred to the committee on Tenure of Office.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 331 a bill for an act to amend the law as it appears in section three hundred ten (310) of the supplement to the code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 324 a bill for an act to amend section twenty-five hundred seventy-eight (2578) of the code, relative to State Board of Medical Examiners, their duties and powers, beg leave to report that 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. C. DOWELL,
Chairman.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate file No. 48, a bill for an act to legalize the acts of the board of directors and electors, and authorize the issuing of forty thousand ($40,000.00) dollars in school building bonds in the independent school district of Lyons City, Clinton County, Iowa and to validate said bonds.

Also:

Senate file No. 173, a bill for an act to amend sections seventy (70), seventy-one (71) and one hundred forty-one (141) of the code, and to repeal the law as it appears in section one hundred twenty-five (125) of the supplement to the code and to enact a substitute therefor and to repeal the law as it appears in section one hundred twenty-six (126) of the supplement to the code, as amended by chapter five (5) of the acts of the Thirtieth General Assembly, and enact a substitute therefor and to amend the law as it appears in section twenty-six hundred twenty-two (2622) of the supplement to the code, relating to printing and binding.

Also:

Senate file No. 117, a bill for an act amending section eighteen hundred seventy-one (1871) of the code relating to the examination of state and savings banks.

Also:

Senate file No. 96, a bill for an act to amend section twenty-seven hundred sixty-eight (2768) of the code in relation to school building funds.

D. W. TURNER,
Chairman.

Senator Young of Lee from the joint committee appointed to draft resolutions relative to the death of Judge L. G. Kinne submitted the following report:

RESOLUTIONS OF RESPECT.

MR. PRESIDENT:—The committee appointed to draft resolutions on the death of Judge L. G. Kinne, beg leave to report:

Judge L. G. Kinne was born in Syracuse, New York, November 5, 1846, and died at Des Moines, Iowa, March 16, 1906. He was a graduate from the Law Department of the University of Michigan. After his graduation he practiced law at Mendota, Illinois, and at Toledo, Iowa. At Toledo he held the offices of Mayor, City Attorney, and President of the school board. In 1881 and 1883 he was the nominee of the Democratic party for governor. He was prominent in the councils of his party. For many years he was secretary and chairman of the Democratic State Central Committee. He represented at different times his party in national conventions as a delegate from his district and as a delegate at large. For many years he served as Judge of the district court of the 17th Judicial District of Iowa, and later as Judge of the Supreme Court. He has been a continuous member of the Board of Control of State Institutions since the date of its organization. As president of the State Bar Association, as a lecturer in the law department of the State University and the Iowa College of Law in Des Moines, and as a member of important committees of the American Bar Association he has rendered his people rich and valuable service. We owe to him a debt of gratitude that we can never hope to repay. Regarding a public office as a public trust he has given to the state, honest, efficient and faithful work. He was an able lawyer, a faithful, energetic and patriotic citizen, therefor be it

Resolved, That we extend to his family our most sincere sympathy in the loss of a devoted husband and kind father.

Resolved, That these resolutions be entered on the journals of the House and Senate and that an engrossed copy be presented to the widow of the deceased by the Secretary of the Senate.

D. A. YOUNG,
R. C. STIRTON,
W. P. WHIPPLE,
On the part of the Senate.
J. F. LUNDT,
M. L. TEMPLE,
G. W. KOONTZ,
On the part of the House.

Senator Young of Lee spoke as follows:

MR. PRESIDENT, SENATORS—Grim death has signalled from the other shore, calling from his field of usefulness, Judge Kinne, of the Board of Control. The summons has been answered, and the men of all parties bow together and shed tears over the grave of a good man gone.

In the death of Judge Kinne, the democratic party has lost one of its highest recognized members, and the state one of its grandest men. More than a leader, pure and honorable in thought and motive; he was an inspiration to those who knew him. He was safe, as will be shown by the honored positions of trust which have been accorded him by the citizens of district and state.

Judge Kinne, although, a successful practioneer, early developed his judicial trend of mind. Recognizing this, the people of the Seventeenth district honored him with a position on the district bench, where his great ability was soon recognized, by the democratic party placing his name on their ticket for Member of the Supreme Court of Iowa; and was elected to that exalted position by a large majority in a Republican state. And those associated with him on the Bench recognized his views as correct and his decision as final.

In the Twenty-seventh General Assembly where a bill to create a Board of Control was before the Senate, well do I, with others, remember that those opposed to the passage of said bill, their strongest argument was that there could not be found three men with executive ability, to superintend those great Institutions coming under said law. As soon as the bill had become law, then the question was, where can be found the men with the ability; but the law provided that the Governor should name them. Governor L. M. Shaw, began to scan the great state of Iowa for three men to place on said Board. After a judicious canvass it was found that in the persons of Hon. John Cownie, Ex-Gov. Larrabee, and the one we mourn today, Hon. L. G. Kinne, were found the members which constituted the Board. With their executive ability, it has proven the greatest boon that has ever come to the Institutions of the state. In the death of Judge Kinne the Board has suffered a loss which would appear to this Senate as irreparable.

An affectionate father, and ever watchful husband, one of our grandest men, lies in yonder cemetery. We call to memory, that blessed are those that rest from honored labors, for they shall remain and linger in our memories on and on.

Senator Stirton spoke as follows:

MR. PRESIDENT—We are called upon to lay aside for the moment the cares and duties of the day that we may fittingly pay tribute to the memory of one who had the unbounded respect and esteem of everyone with whom he came in contact; who enjoyed the confidence and love of all who knew him; who gave the best years of his life to the service of his state and died in the performance of his public duties.

Judge Kinne was one of the great men of Iowa. An honorable citizen, an able lawyer, a distinguished jurist, a kind neighbor, a true and loyal friend, an affectionate husband and father. A man of profound learning, of rare judgment, of sterling worth and scrupulous integrity; a most faithful public servant; a noble, generous, kind-hearted man.

He was never known to desert the pathway of rectitude, shirk a duty or evade a responsibility. He was ever ready to assist, encourage, and point out the way to those who sought his counsel; always willing to lend a helping hand to those in need of assistance. He took a deep and sympathetic interest in his work as a member of the Board of Control, and in his untimely death the state has suffered an irreparable loss.

It is a privilege to enjoy an intimate personal acquaintance with such a man as he; in the fullest and broadest sense he exemplified the spirit of true manhood, and possessed in a full measure the noblest attributes of the human heart: but the one towering trait of his admirable character, the trait that shall stand out and shine in the coming years with greater luster than the rest, was his unflinching devotion to duty, and in traveling her pathway he "faltered not, nor feared."

Repeatedly honored by his fellow citizens, he always rose to the occasion and never failed the expectations of his friends–never was found wanting in any capacity, never lacked in any particular. In honoring him the people honored themselves and never was honor more worthily bestowed.

He is with us no longer. He has gone to that "bourne from whence no traveller returns." Sooner or later every one of us must succumb to the same inevitable end—must yield to the same inexorable Will—must bow to the same immutable Law.

"We are such stuff as dreams are made of and our little life is rounded with a sleep."

He is at rest. The strenuous strife of the battle of life is o'er. The mortal remains of him who was with us but yesterday have been laid away in the "windowless palace of rest," and nevermore on this side of Eternity shall we see his kindly face. It is a consolation that even Death cannot rob us of his memory, nor deprive his family of the priceless heritage of an unsullied name.

We may say of him as Mark Antony said of Brutus:

"His life was gentle; and the elements so mixed in him that Nature might stand up and say to all the world, 'this was a man.'"

Senator Whipple also paid an eloquent tribute to the life, character and public services of the late Judge L. G. Kinne.

Senator Young of Lee moved that the Senate adopt the report of the committee and the resolution.

Adopted unanimously by a rising vote.

Senator Young of Calhoun moved that the remarks of Senator Young of Lee, Stirton and Whipple be printed in the Journal.

Carried.

Senator Courtright moved that consideration of Senate file No. 240 be postponed until 2 o'clock P. M. and that when the Senate adjourn at noon it be until 2 o'clock P. M.

Carried.

THIRD READING OF BILLS.

Senate file No. 274 a bill for an act to amend chapter five (5) of title twenty-four (XXIV) of the code, relating to larceny, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Gillilland moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Crossley, Dowell, Eckles, Elerick, Ericson, Gillilland, Hartshorn, Hasselquist, Hayward, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Bruce, Dunham, Gale, Garst, Harper, Hogue, Hopkins, Jamison, Lewis, Maytag, Taylor, Wade, Wilson of Clinton—13.

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

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Concurrent resolution relative to recalling report from the State Printer.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following Senate amendments to House file No. 114, in which the concurrence of the House was asked:

A bill for an act to amend chapter twelve (12), title eighteen (18) of the code, and to determine the priority of certain claims in the distribution of property in the hands of receivers.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 61, a bill for an act to amend the law as it appears in section seven hundred thirty-two (732) of the supplement to the code relating to the levy of taxes for library purposes.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 366, a bill for an act relative to the transfer of funds raised by townships for the purpose of building public halls, additional to chapter ten (10), title four (4) of the code.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 387; a bill for an act to amend section two (2) and five (5) of chapter (40) of the acts ot the Thirtieth General Assembly, relating to primary elections.

C. R. BENEDICT
Chief Clerk.

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:

House file No. 338, a bill for an act to secure in matters of religion a free exercise of religious preference and practice to all inmates of state, county and city institutions maintained for the detention of persons held by commital or confinement in any state, county or city institution whether penal, correctional, charitable or educational, or in any place of confinement maintained and supported by public funds.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 362, a bill for an act to amend section eleven hundred six (1106) of the supplement to the code, relating to the form of ballot used in elections.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Substitute for substitute for Senate file No. 64, a bill for an act to repeal the law as it appears in section twenty-five hundred eighty-nine (2589) of the supplement to the code, and section twenty-five hundred ninety (2590) of the code, and enact a substitute therefor relative to the examination of pharmacists and their assistants.

C. R. BENEDICT,
Chief Clerk.

President pro tem Smith was called to the chair at 11:10 o'clock A. M.

House concurred in the Senate concurrent resolution relative to recalling report from state printer.

Ordered passed on file.

THIRD READING OF BILLS.

Substitute for House file No. 5, a bill for an act amending section seventeen hundred nine (1709) of the code, relating to insurance other than life, with report of committee recommending amendments and passage, was taken up, considered and the report of the committee adopted,

Senator Courtright moved the adoption of the following committee amendments.

Insert after the figures and parenthesis "1709" in line two (2) of section (1) of the substituted bill the words "of the". Insert before the word "that" in line eight (8) of section one (1) of the substituted bill the word, figure and period "section two." Insert after the word "that" in said line eight (8) of the substituted bill the words "the law which appears as" and after the figures and parenthesis "1710" in said line the words "of the." Strike out all of lines eighteen (18) to twenty-three (23) inclusive of section one (1) of the substituted bill and insert in lieu thereof the words "except as in this section provided as follows," and insert the colon after the word "follows."

Amend by inserting in lieu of the period at the end of line ten (10) of the second page of the substituted bill a semicolon and by changing the letter 'a" in the first word "any" in line eleven (11) to a lower case letter and by inserting the word "and" before the said word "any."

Strike out after the word "accident" in the twenty-fourth line of page two (2) of the substituted bill the words "but nothing herein shall be construed to authorize any life insurance company to insure against the casualities mentioned in sub-division six (6), nor to insure plate glass against accidental breakage." That the substitued bill be further amended by changing the comma after the word "thereat" in line three (3) of page three (3) of the substituted bill to a period and that the words, commas and period "and against the loss of moneys or securities, in the course of transportation," in lines three (3) and four (4) of the third page of the substituted bill be stricken out.

Adopted.

Senator Courtright moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Eckles, Elerick, Ericson, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stucksiager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—45.

The nays were:

None.

Absent or not voting:

Dunham, Gale, Garst, Hogue, Molsberry—5.

Senator Courtright moved the adoption of the following amendment to the title:

Amend the title of the substituted bill so as to read as follows:

A BILL for an act to amend the law as it appears in section seventeen hundred nine (1709) of the supplement to the code and to repeal the law as it appears in section seventeen hundred ten (1710) of the supplement to the code and to enact a substithte therefor, and relating to insurance other than life.

Adopted.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended agreed to.

The President resumed the chair at 11:45 o,clock A. M.

House file No. 119, a bill for an act to repeal section thirteen hundred six-b (1306-b) of the supplement to the code, and chapter forty-three (43) of the acts of the Thirtieth General Assembly, and to enact a substitute therefor relating to the limit of indebtedness of municipal corporations, with report of committee recommending amendments and passage was taken up, considered and the report of the committee adopted.

Senator Saunders moved the adoption of the following committe amendments:

Amend section two (2) by adding: "and provided that in cities having a population of more than ten thousand, the petition need not be signed by more than two hundred qualified electors."

Amend section four (4) by striking the words "Two-Thirds" in the first line of said section and inserting the following: "If a majority, in cities having more than ten thousand population; or, if in cities and towns having a population of ten thousand or less, two-thirds."

Amend section five (5) by striking out the period at the end of the sentence and adding thereto the following: "Nor shall anything in this act contained be construed as being applicable to bonds issued under section 745 of the supplement to the code."

Adopted.

Senator Saunders moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crawford, Crossley, Elerick, Ericson, Gale, Gillilland, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Lewis,

Molsberry, Newberry, Saunders, Spaulding, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—36.

The nays were:

Lambert, Lyons, Smith of Des Moines—3.

Absent or not voting:

Brooks, Dowell, Dunham, Eckles, Harper, Garst, Hogue, Kinne, Maytag, Smith of Mitchell, Taylor—11.

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

Senator Jamison offered the following resolution:

Resolved: That the President of the Senate is hereby directed to appoint a sifting committee of seven members and when so appointed all bills other than appropriation bills be referred to the committee, and that thereafter no bills except appropriation bills shall be considered unless reported by said committee.

Laid over.

The Journal of the 20th was taken up, corrected and approved.

Senator Hughes moved that the time of adjournment be extended for the correction of the Journals.

Carried.

The Journal of the 21st was taken up, corrected and approved.

The Journal of yesterday was taken up, corrected and approved.

The time having arrived, the Senate stood adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M., President Herriott presiding.

THIRD READING OF BILLS.

Senate file No. 240 a bill for an act to revise the law relating to the sentence and commitment of persons convicted of crime, and providing for a system of reform and parole and to create the necessary officers therefor, defining their powers and duties, and to fix their compensation, and appropriating the money necessary to carry the same into effect, and to repeal all acts and parts of acts in conflict therewith, with report of committee recommending substitute and passage, was taken up considered, and the report of the committee, adopted.

Senator Saunders moved that the substitute be substituted for the original bill.

Carried.

Senator Saunders moved the adoption of the report of the committee on Appropriations.

Carried.

Senator Saunders moved the adoption of the amendment offered by the committee on Appropriations.

Adopted.

REPORTS OF COMMITTEES.

Senator Crossley from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools to whom was referred Senate file No. 260 a bill for an act to provide for the consolidation and change of boundaries of school districts in certain cities of the first class, and other purposes incidental 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 same be amended by striking out the word "thirty" in the first line of section one (1) and inserting in lieu thereof the word "forty"; by striking out of line eight (8) section two (2) the words, "not less than seven" and by striking out all of section five (5) of the printed bill, and when so amended the bill do pass.

JAMES J. CROSSLEY.
Chairman.

Ordered passed on file.

Senator Courtright, 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. 328, a bill for an act conferring power on cities of the first class to regulate and prohibit the emission of dense smoke from chimneys and smoke stacks, beg leave to report that they have had the ame under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be recommended for passage.

O. B. COURTRIGHT,
Chairman.

Ordered passed on file.

Senator Dowell was called to the chair at 2:20 o'clock P. M.

President Herriott resumed the chair at 2:30 o'clock P. M.

President pro tem Smith was called to the chair at 4 o'clock P. M.

Senator Turner moved that the Senate do now adjourn and that Senator Molsberry retain the floor.

Carried.

Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Saturday, March 24, 1906.

Senate met in regular session at 9:30 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. M. Stahl, of Stuart, Iowa.

HOUSE MESSAGES CONSIDERED.

House concurred in Senate amendments to House file No. 114, a bill for an act to amend chapter twelve (12), title eighteen (18) of the code, and to determine the priority of certain claims in the distribution of property in the hands of receivers.

Ordered passed on file.

House amended and passed Senate file No. 61, a bill for an act to amend the law as it appears in section seven hundred thirty-two (732) of the supplement to the code relating to the levy of taxes for library purposes.

Ordered passed on file.

On request of Senator Wilson, of Clinton, leave of absence was granted Senator Lyons for the day.

On request of Senator Bleakly, leave of absence was granted Senator Jackson for the day.

On request of Senator Eckles leave of absence was granted Senator Kimmel until Monday.

THIRD READING OF BILLS.

By unanimous consent Senate file No. 61 a bill for an act to amend section seven hundred and thirty-two (732) of the supplement to the code relating to the levy of taxes for library purposes was taken up and considered.

The House substitute was read first and second time by its title.

The House substitute was read for information.

Senator Ericson moved that the rule be suspended, and that the bill be considered engrossed, and the reading just had be considered its third reading which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gillilland, Harper, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Jones, Kinne, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Stuckslager, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee Young of Calhoun, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Brooks, Bruce, Gale, Garst, Hartshorn, Hogue, Jackson, Kimmel, Lambert, Lyons, Taylor, Turner, Winne, Smith of Mitchell—14.

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

HOUSE MESSAGES CONSIDERED.

House file No. 366, a bill for an act relative to the transfer of funds raised by townships for the purpose of building public halls additional to chapter ten (10), title four (4) of the code.

Read first and second time and referred to committee on Roads and Highways.

House file No. 387, a bill for an act to amend sections two (2), and five (5) of chapter forty (40) of the acts of the Thirtieth General Assembly relating to primary elections.

Read first and second time and referred to committee on Elections.

House file No. 338, a bill for an act to secure in matters of religion a free exercise of religious preference and practice to all inmates of state, county and city institutions, maintained for the detention of persons held by commital or confinement in any state, county, or city institutions, whether penal, correctional, charitable or educational, or in any place of confinement maintained and supported by public funds.

Read first and second time and referred to committee on Penitentiary and Pardons.

House file No. 362, a bill for an act to amend section eleven hundred six (1106), supplement to the code, relating to the form of ballot used in elections.

Read first and second time and placed on the calendar.

House amended and passed substitute for substitute for Senate file No. 64, a bill for an act to repeal the law as it appears in section twenty-five hundred eighty-nine (2589) of the supplement to the code, and section twenty-five hundred ninety (2590) of the code, and to enact a substitute therefor relative to the examination of pharmacists and their assistants.

Read first and second time.

THIRD READING OF BILLS.

By unanimous consent substitute for substitute for Senate file No. 64, a bill for an act to repeal the law as it appears in section twenty-five hundred eighty-nine (2589) of the supplement to the code, and section twenty-five hundred ninety (2590) of the code, and to enact a substitute therefor relative to the examination of pharmacists and their assistants, was taken up and considered.

The House amendments were read for information.

Senator Molsberry moved that the following house amendments be concurred in:

Amend section three (3), line eleven (11) by striking out the words "now required" and inserting in lieu thereof the word "prescribed": and amend further line twelve (12) of section three (3) by adding after the word "faculties" the words "for the year 1905".

Amend the bill for substitute for Senate file No. 64 by adding thereto the following:

Section 6. The provisions of this act shall become operative and be in force and effect on and after the 1st day of October, 1906.

On the question, Shall the House amendments be concurred in?

The yeas were:

Bleakly, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jamison, Jones, Kinne, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stookey, Stuckslager, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—38.

The nays were:

None.

Absent or not voting:

Brooks, Bruce, Elerick, Gale, Jackson, Kimmel, Lambert, Lyons, Stirton, Taylor, Turner, Winne—12.

So the House amendments were concurred in.

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 indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate file No. 305, a bill for an act to amend section twenty-four hundred seventy-eight (2478) of the code; and to amend the law as it appears in section twenty-four hundred eighty-three (2483) of the supplement to the code, relating to mines and mining.

C. R. BENEDICT,
Chief Clerk.

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate file No. 306, a bill for an act to amend the law as it appears in section twenty-five hundred fifteen (2515) of the supplement to the code, as amended by chapter eighty-eight (88) of the acts of the Thirtieth General Assembly, in relation to the Food and Dairy Commissioner, his appointment and term of office.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate file No. 1, a bill for an act to amend section one hundred ninety-three (193) of the code, and to provide for the chief justiceship of the Supreme Court of Iowa.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT —I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 141, a bill for an act to regulate the sale of gasoline and providing penalty for violation thereof.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 142, a bill for an act to amend the law as it appears in section twenty-seven hundred twenty-seven-c (2727-c) of the supplement to the code relating to salaries.

C. R. BENEDICT,,
Chief Clerk.

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 House was asked:

Senate file No. 213, a bill for an act to authorize the revocation and cancellation of a patent issued for the west ½ of north west ¼ of section one (1), township seventy-four (74) north of range seventeen (17) west of the fifth principal meridian, Mahaska county, Iowa, and to authorize the issuance of patent covering the north half of the north west quarter of section eleven (11), township seventy-four (74) north of range seventeen (17) west of the fifth principal meridian, Mahaska county, Iowa.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 389, a bill for an act to amend section twenty-four hundred thirty-two (2432) of the code providing for the payment of a mulct tax.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 385, a bill for an act to prohibit and regulate hospitals, hospital wards, institutions and places created for or maintained and used as lying-in or maternity hospitals, or hospital wards or places for the reception, care and treatment of women in labor.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 378, a bill for an act to repeal section thirty-four hundred fifty-five (3455) of the code relating to failure of actions, by reason of the running of the statute limitations, and to enact a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

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.

House file No. 388, a bill for an act to regulate trust companies, to authorize such companies and state and savings banks to act in a fiduciary capacity and to amend section sixteen hundred eleven (1611) of the code relating to corporations.

C. R. BENEDICT,
Chief Clerk.

Senator Hayward 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. 108, a bill for an act to amend section fourteen hundred four (1404) of the code, relating to the assessment of personal property, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. C. HAYWARD,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Stuckslager, from the committee on Banks, submitted the following report:

MR. PRESIDENT: Your committee on Banks to whom was referred House file No. 51, a bill for an act to amend section eighteen hundred eighty-nine (1889) of the supplement to the code relative to loan and trust companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by adopting the following substitute:

SUBSTITUTE FOR HOUSE FILE NO. 51.

A BILL for an act to amend the law which appears as chapter sixty-four (64) acts of the Thirtieth General Assembly, relating to bank examiners and fees.

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

Section 1. That the law which appears as chapter sixty-four (64) acts of the Thirtieth General Assembly be and the same is hereby amended by striking out of line five (5) of section one (1) of said chapter the words "not to exceed four" and insert in lieu thereof the words "one or more."

That the said section be further amended by inserting after the word "banks" in line twelve (12) of said section and after the first word "banks" in line sixteen (16) and also after the second word "banks" in line sixteen (16) the words "and loan and trust companies."

That the section be further amended by striking out the word "banks" in line eighteen (18), line nineteen (19), line twenty-one (21) and line twenty-three (23) and substituting for each of said words the word "those."

That the said section be further amended by inserting after the word "bank" in line twenty-nine (29) of said section the words "or loan and trust company" and by adding at the end of said section the words "or of a loan and trust company."

And when so amended the bill do pass.

W. C. STUCKSLAGER,
Chairman.

The substitute was read first and second time and passed on file.

MR. PRESIDENT—Your committee on Banks to whom was referred Senate file No 233, a bill for an act to provide for increasing the capital of 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 same be amended by adopting the following substitute.

SUBSTITUTE FOR SENATE FILE NO. 233.

A BILL for an act to provide a method for increasing or decreasing the capital of state and savings banks.

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

Section 1. The capital of state and savings banks may be increased or decreased by an affirmative vote of two-thirds (⅔) of all the shares of the stock of such bank at any regular meeting of the stockholders, or at a special meeting called for that purpose, as provided by the articles of incorporation and by-laws of such bank. Provided, however, that upon such action being taken, the president and cashier shall furnish to the auditor of state a verified transcript of the proceedings of the bank at such meeting as shown by their record and also furnish him a sworn statement of the condition of such bank on the date such action is taken, and any further information that may be required by the auditor. If the auditor is satisfied that the proposed increase or decrease of capital is proper, and if an increase that such increase has actually been paid up in cash, it shall be his duty to approve the action of such bank in such proceedings and furnish the bank a certificate to that effect. Upon the receipt of such certificate such bank shall cause the amendment to its articles of incorporation in the matter of such increase or decrease of its capital to be filed with the county recorder of the county where such bank is located, and also in the office of the secretary of state, and shall also publish notice of such amendment as provided by law and increase or decrease of its capital together with the auditor's approval certificate herein provided for once each week for four consecutive weeks in some newspaper of general circulation in the town or city where such bank is located, or if no such newspaper, then in such newspaper in the county where such bank is located and shall furnish sworn proof of such publication to the auditor and shall also file the same in the office of the secretary of state as now required by law. Upon compliance with the provisions of this act the auditor of state, if he deems proper, shall issue a certificate to such bank showing the increase or decrease of capital of such bank and thereupon the capital of such bank shall be in the amount stated in such certificate of the auditor.

Section 2. Any bank heretofore organized in this state with an authorized capital stock larger than its paid up capital as provided by its articles of incorporation that has paid the incorporation fee to the secretary of state for the full amount of its authorized capital stock may increase its paid up capital as provided by this act, to any amount not exceeding its authorized capital stock for which it has once paid the fee without the payment of the incorporation fee to the secretary of state on such increase of paid up capital.

Section 3. This act being deemed of immediate importance, shall be in force from and after its publication in the Register and Leader and Des Moines Daily Capital, newspapers published at Des Moines, Iowa.

And when so amended the bill do pass.

W. C. STUCKSLAGER,
Chairman.

The substitute was read first and second time and passed on file.

Senator Whipple, from the committee on Insurance, submitted the following report:

MR. PRESIDENT—Your committee on Insurance to whom was referred Senate file No. 13 a bill for an act to create a legislative commission to examine the subject of insurance and the practice of insurance companies doing business in this state and to whom was referred concurrent resolution by Senator Molsberry relative to the appointment of a committee to investigate life insurance companies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by the adoption of the following substitute.

SUBSTITUTE FOR SENATE FILE NO. 13.

A BILL for an act to create a legislative commission to examine the subject of all insurance and the practice of the insurance companies doing business in this state and revise the insurance laws and provide a uniform policy for life and fire insurance and report their findings and recommendations to the next General Assembly and for other purposes.

Be it Enacted by the General Assembly of the State of Iowa.

Section 1. There is hereby created a legislative insurance commission, consisting of five members of the General Assembly, two of whom shall be members of the Senate and three of whom shall be members of the House of Representatives.

Section 2. The members of the Senate above mentioned shall be appointed by the Lieutenant Governor, and the members of the House of Representatives shall be appointed by the Speaker thereof.

Section 3. Said commission shall have the authority to employ such clerical and legal assistance as may be required to properly perform the duties hereby imposed upon said commission, which together with the necessary expenses incurred therein, by said commission shall be paid out of the treasury upon the approval of the Executive Council, upon filing with the Auditor of State a detailed and itemized statement duly verified of same,

Section 4. Said commission or a majority thereof, in case of absence of any member, shall constitute a quorum, who shall as soon as practicable, after the adjournment of the present General Assembly, meet in the Capitol building and organize by the election of one of its members as chairman, who shall preside at all meetings of said commission, if present, and in his absence the chairman shall be elected from those present. Said commission shall meet from time to time, as determined by said body, or on the call of the chairman.

Section 5. Said commission shall have the power. to thoroughly investigate the system, practice, character, and policies of all insurance companies, and all insurance written by the insurance companies doing business in this state; to examine all the methods employed by them in transacting their business, their relation to other coporations, the salaries paid to their officers and employes, their securities and investments, the relation of the officers and members of said companies to said investments, their relation to or with other corparations transacting business with said insurance companies, the amount of taxes paid by them, their liability to their policy holders, the cost of insurance, the expenses of said companies, the relation of said insurance companies to subsidiary corporations; to examine into all expenditures of said companies and the said commission is hereby authorized and empowered to require and enforce the attendance of witnesses, and the production of books and papers, and any member of the commission is hereby authorized to administer oaths, and said commission, shall have access, at all times, to the office of the Auditor of State, and the said Auditor shall render to the commission such aid and assistance as is within his power to give.

Section 6. Said commission shall on or before December 1, 1906, file with the auditor of the State, its report which shall be printed by him for distribution to the members of the next General Assembly which report shall contain a detailed statement of all expenses incurred and the results of its investigation together with such recommendations and conclusions as will improve and perfect the insurance laws of the State and define the rights of the companies and the equities of the policy holders.

Section 7. Said commission shall make such recommendations in reference to perfecting the insurance laws of the state as the investigation herein provided for and the judgment of the commission shall approve, and said report shall contain all recommendations on said subject and shall also contain such recommendations as said committee may approve, concerning a uniform policy or policies of insurance, and the form of such policy or policies recommended.

Section 8. The members of said commission shall receive as compensation for said service ten dollars per day each together with their traveling and personal expenses while actually engaged in said work, to be paid from the treasury upon the order of the executive council.

Section 9. The amount of money authorized by this act for the purpose herein provided for shall not exceed ten thousand dollars which sum is hereby appropriated out of any money in the State Treasury not otherwis appropriated.

Section 10. The printing and binding of said report and all expense connected therewith shall be at the cost of the State as provided by law.

Section 11. This act being deemed of immediate importance shall be in full force and effect upon the publication in the Register and Leader, and the Des Moines Daily Capital, newspapers of Des Moines, Iowa.

And when so amended the bill do pass.

W. P. WHIPPLE
Chairman.

The substitute was read first and second time and passed on file.

By unanimous consent Senate file No. 13 was made a special order to follow the special order under consideration and that it be referred to the Appropriations committee.

By unanimous consent Senate file No. 240 was passed for further consideration until Tuesday morning.

REPORTS OF COMMITTEES.

Senator Garst, from the committee on Appropriations submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred substitute for House file No. 167, a bill for an act relating to fish and game and making an appropriation for the Fish and Game Commission of the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following substitute be adopted in lieu thereof:

SENATE SUBSTITUTE FOR HOUSE SUBSTITUTE FOR HOUSE FILE NO. 167.

A BILL for an act relating to fish and game, and making appropriations for the Fish and Game Commission of the State of Iowa.

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

Section 1. That there is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, for the Fish and Game Commission, for the State of Iowa, the sum appearing hereinafter, or so much there of as may be necessary to be expended for the purpose expressed, viz:

1st. For the protection of fish and game and payment of deputy wardens and salary of assistant, two thousand ($2000.00) dollars.

2nd. For gathering fish at Sabula for distribution, seven hundred and fifty ($750.00) dollars.

3rd. For repairs on State Fish Car Hawkeye, three hundred ($300.00) dollars.

Making a total appropriation of three thousand and fifty ($3050.00) dollars

Section 2. Any unexpended balance of money hereby appropriated and not required for the purpose mentioned, shall be returned to the State Treasury.

And when so amended the bill do pass.

WARREN GARST,
Chairman.

The substitute was read first and second time and passed on file.

Also:

MR. PRESIDENT—Your committee on appropriations to whom was referred Senate file No. 198 a bill for an act appropriating the sum of two hundred and seventy-eight dollars, twenty-one cents ($278.21) to be paid to Crawford county in settlement of claims against the State of Iowa by reason of expense incurred in the transporting of Russel Gifford and William Butterworth, insane persons, out 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 do pass.

WARREN GASRT,
Chairman.

Ordered passed on file.

Also!

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate file No. 277 a bill for an act to appropriate the sum of one hundred ($100) dollars to pay E. S. Frank for money advanced by him to the State of Iowa as rent for certain lake beds situated in Wright and Hancock counties, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was rereferred substitute for House file No, 86 a bill for an act to require and regulate the registration of births and deaths in the state of Iowa, and to repeal section twenty-five hundred sixty-six (2566) twenty-five hundred sixty-seven (2567) of the code, and to repeal chapter one hundred (100) 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 the same be amended as follow

Amend section seven (7) of the substitute bill by striking out the words and figures, "three thousand ($3,000.00) dollars" and inserting the words and figures "two thousand five hundred ($2,500) dollars" in lieu thereof, and when so amended the bill do pass.

WARREN GARST.
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

House file No. 336 a bill for an act to authorize the Executive Council to convey to Jones county, Iowa, a roadway through the east half of the south-west quarter of section thirty-three (33), township eighty-five (85), north of range four (4), west of the fifth principal meridan, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stirton moved to amend the bill as follows:

Amend line two (2) of preamble by striking out the words "thirty-three" and inserting in lieu thereof the word "three" and striking out the figures "33" and inserting the figure "3".

Adopted.

Also:

Amend lines two (2) and six (6) of section one (1) by striking out the words "thirty-three" and inserting the word "three" and striking out the figures "33" and inserting the figure "3".

Adopted.

Also:

Amend line three (3) of title by striking out the words "thirty three" and inserting the word "three".

Adopted.

The bill as amended was read for information.

Senator Stirton moved that the rule be suspended, and that the reading just had be considered its third reading which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Crossley, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Jones, Lewis Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Turner, Wade, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Bruce, Dowell, Gale, Hogue, Jackson, Kimmel, Kinne, Lambert, Lyons, Stuckslager, Taylor, Warren, Young of Calhoun—13.

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

Senate file No. 248, a bill for an act to amend the law as it appears in section thirteen hundred four (1304) of the code, relating to exemption of personal property from taxation with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee adopted.

So the bill was indefinitely postponed.

Senate file No. 239, a bill for an act to amend the law as it appears in section twenty-four hundred forty-eight (2448) of the code relating to the establishment of saloons within certain distances of specified buildings and places, and to include cemeteries among the places, affected by the provisions of said section with report of committee was taken up, considered, and the report of the committee adopted.

Senator Bleakly moved the adoption of the following committee amendments.

Amend by striking out the word "eighth" appearing in the third and fifth lines of section one (1) and insert the word "seventh" in lieu thereof.

Adopted.

Senator Bleakly moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Crossley, Dowell, Dunham, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Jones, Kinne, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Turner, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Yonng of Calhoun, Young of Washington—38.

The nays were:

None.

Absent or not voting:

Bruce, Eckles, Gale, Hogue, Jackson, Kimmel, Lambert, Lyons, Stuckslager, Taylor, Smith of Mitchell, Wilson of Clinton—12.

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

On request of Senator Young of Lee leave of absence was granted Senator Taylor for the day.

On request of Senator Smith of Des Moines leave of absence was granted Senator Lambert for the day.

On request of Senator Whipple leave of absence was granted Senator Stuckslager for the day.

Senate file No. 16, a bill for an act to amend section four hundred forty-one (441) of the code in regard to official newspapers with report of committee recommending a substitute and passage was taken up, considered, and the report of the committee adopted.

Senator Spaulding moved the adoption of the substitute recommended by the committee.

The substitute was adopted.

Senator Spaulding moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion pravailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Dowell, Dunham, Eckles, Elerick, Ericson, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jamison, Jones, Kinne, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Crawford, Crossley, Gale, Garst, Jackson, Kimmel, Lambert, Lyons, Stuckslager, Taylor, Smith of Mitchell—11.

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

Senate file No. 111, a bill for an act appropriating the sum of two thousand dollars ($2000) to be paid to Mrs. John Stein, in settlement of all claims against the State of Iowa by reason of the death of John Stein who was killed by a falling scaffold at the Fort Madison penitentiary while working under the orders of the superintendent of construction was taken up, considered and the report of the committee adopted.

Senator Young of Lee moved the adoption of the following amendments recommended by the committee on Claims.

Amend by striking out the figures "2000" and words "two thousand" in the first line of the title of the original bill and substituting in lieu thereof the words "seven hundred fifty" and figures "750."

Amend section one (1) by striking out the figures "2000" and words "two thousand" in the third line of said section and inserting in lieu thereof the figures "750" and words "seven hundred fifty."

Amend section three (3) by striking out the figures "2000" and words "two thousand" in the third line of said section and inserting in lieu thereof the figures "750" and words "seven hundred fifty."

Adopted.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

Senator Young of Lee moved that the rule be suspended and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Jones, Kinne, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—40.

The nays were:

None.

Absent or not voting:

Crossley, Gale, Hogue, Jackson, Kimmel, Lambert, Lewis, Lyons, Stuckslager, Taylor—10.

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

Senate file No. 134 a bill for an act to amend the law as it appears in section seven hundred forty-five (745), code supplement 1902, relating to the purchase or erection of waterworks by cities and conferring additional powers with reference thereto on certain cities with report of committee recommending a substitute and passage was taken up, considered, and the report of the committee adopted.

Senator Saunders moved that the substitute recommended by the committee be substituted for the original bill.

Carried.

Senator Saunders moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Dowell, Eckles, Elerick, Ericson, Garst, Gillilland, Hartshorn, Hasselquist, Hayward, Hughes, Jamison, Jones, Kinne, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Turner, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington.—36.

The nays were:

None.

Absent or not voting:

Crossley, Dunham, Gale, Harper, Hogue, Hopkins, Jackson, Kimmel, Lambert, Lyons, Stuckslager, Taylor, Whipple, Winne. —14.

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

Senator Garst moved that when the Senate adjourn at noon today, it be until Monday afternoon at 2 o'clock.

Carried.

Senate file No. 254, a bill for an act to amend chapter one (1) of the acts of the Twenty-seventh General Assembly, relating to the publication of the laws of the state of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hartshorn moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes. Jamison, Jones, Kinne, Lewis, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—38.

The nays were:

None.

Absent or not voting:

Dowell, Dunham, Gale, Hogue, Jackson, Kimmel, Lambert, Lyons, Molsberry, Stuckslager, Taylor, Winne—12.

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

The following communication was received and read:

STATE OF NEW YORK, IN SENATE
ALBANY, March 1, 1906.

WHEREAS, It appears from the investigation recently made by the Senate of the United States, and otherwise, that polygamy still exists in certain places in the United States notwithstanding prohibitory statutes enacted by the several states thereof, and

WHEREAS, The practice of polygamy is generally condemned by the people of the United States and there is a demand for the more effectual prohibition thereof by placing the subject under Federal jurisdiction and control, at the same time reserving to each State the right to make and enforce its own laws relating to marriage and divorce; now, therefore,

Resolved if the Assembly concur, That application be and hereby is made to Congress, under the provisions of article five (5) of the Constitution of the United States for the calling of a convention to propose an amendment to the Constitution of the United States whereby polygamy and polygamous co-habitation shall be prohibited and Congress shall be given power to force such prohibition by appropriate legislation.

Resolved, That the legislators of all other states of the United States, now in session or when next convened, be and they are hereby respectfully requested to join in this application by the adoption of this or an equivalent resolution.

Resolved, *Further*, That the Secretary of State be and he is hereby directed to transmit copies of this application to the Senate and House of Representatives of the United States, and to the several members of said body representing this State therein; also to transmit copies thereof to the Legislatures of all other states of the United States.

In Assembly, March 2, 1906.

Concurred in without amendment.

By order of the Assembly,
A. E. BAXTER,
Clerk.

By order of the Senate,
LAFAYETTE B. GLEASON,
Clerk.

STATE OF NEW YORK, }
OFFICE OF THE SECRETARY OF STATE, } ss:

The foregoing is a true copy of a concurrent resolution of the Senate and Assembly of the State of New York, filed in this office March 6, 1906.

(SEAL) GIVEN under my hand and the Seal of Office of the Secretary of State, at the city of Albany, this Twentieth day of March, one thousand nine hundred and six.

JOHN F. O'BRIEN,
Secretary of State.

Senator Newberry moved that the communication be printed in the Journal and referred to the committee on Federal Relations.

Carried.

HOUSE MESSAGES CONSIDERED.

House file No. 389, a bill for an act to amend section thirty-four hundred thirty-two (3432) of the code providing for the payment of a mulct tax.

Read first and second time.

By unanimous consent House file No. 389 a bill for an act to amend section twenty-four hundred thirty-two (2432) of the code providing for a payment of a mulct tax, was taken up and considered.

Senator Dunham moved that the bill be referred to the committee on Judiciary.

Senator Crawford moved to amend the motion by making the reference to committee on Suppression of Intemperance.

On the question, Shall the amendment to the amendment prevail?

The amendment prevailed.

On the question, Shall the bill be referred to the committee on Supression of Intemperance. The motion prevailed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the Speaker has appointed as concurrent committee on part of the House on House file No. 74, a bill for an act to regulate the employment of child labor, and to provide for the enforcement thereof, (additional to chapter eight (8), title twelve (XII) of the code) Hart of Allamakee, Cummings of Marshall, Carstensen of Clinton, Clary of Chickasaw.

C. R. BENEDICT,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Turner Senate file No. 333, a bill for an act appropriating money for the inspection of county and private institutions in which insane persons are kept, and associations, socities and homes receiving friendless children.

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

The Journal of yesterday was taken up, corrected and approved.

The time having arrived the Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Monday, March 26, 1906.

Senate met pursuant to adjournment at 2 o'clock P. M. President Herriott presiding.

Prayer was offered by the Rev. Charles Lyman Nye of Des Moines, Iowa.

On request of Senator Newberry leave of absence was granted Senator Wilson of Fayette until tomorrow.

On request of Senator Newberry leave of absence was granted Senator Smith of Mitchell until tomorrow.

On request of Senator Newberry leave of absence was granted Senator Bleakly until tomorrow.

On request of Senator Newberry leave of absence was granted Senator Jackson until tomorrow.

On request of Senator Young of Lee leave of absence was granted Senator Taylor until tomorrow.

On request of Senator Young of Lee leave of absence was granted Senator Young of Washington until tomorrow.:

On request of Senator Hopkins leave of absence was granted Senator Bruce until tomorrow.

On request of Senator Kimmel leave of absence was granted Senator Eckles until tomorrow.

On request of Senator Hopkins leave of absence was granted Senator Lyons until tomorrow.

On request of Senator Brooks leave of absence was granted Senator Saunders until tomorrow.

On request of Senator Brooks leave of absence was granted Senator Maytag until tomorrow.

On request of Senator Ericson leave of absence was granted Senator Gale until tomorrow.

On request of Senator Newberry leave of absence was granted Senator Lewis until tomorrow.

HOUSE MESSAGES CONSIDERED.

House file No. 74, a bill for an act to regulate the employment of child labor and to provide for the enforcement thereof (additional to chapter eight (8) title twelve (XII) of the code).

Speaker appointed as conference committee on House file No, 74, Hart of Allamakee, Cummings of Marshall, Carstensen of Clinton, Clary of Chickasaw.

Ordered passed on file.

House indefinitely postponed Senate file No. 305, a bill for an act to amend section twenty-four hundred seventy-eight (2478) of the code, and to amend the law as it appears in section twenty-four hundred eighty-three (2483) of the supplement to the code, relating to mines and mining.

Ordered passed on file.

House indefinitely postponed Senate file No.306, a bill for an act to amend the law as it appears in section twenty-five hundred fifteen (2515) of the supplement to the code as amended by chapter eighty-eight (88) of the acts of the Thirtieth General Assembly in relation to the Food and Dairy commissioner, his appointment and term of office.

Ordered passed on file.

The House indefinitely postponed Senate file No. 1, a bill for an act to amend section one hundred ninety three (193) of the code and to provide for the Chief Justiceship of the Supreme Court of Iowa.

Ordered passed on file.

The house amended and passed Senate file No. 141, a bill for an act to regulate the sale of gasoline and providing penalty for violation thereof.

THIRD READING OF BILLS.

By unanimous consent Senate file No. 141, a bill for an act to regulate the sale of gasoline and providing penalty for violation thereof, was taken up and considered.

Senator Harper moved that the Senate concur in the following House amendment:

Amend by striking out the word "pint" and inserting the word "quart" in lieu thereof in the fourth line of section one (1).

On the question, Shall House amendment be concurred in?

The nays were:

Brooks, Courtright, Crawford, Crossley, Dowell, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hayward, Hopkins, Hughes, Jamison, Jones, Kimmel, Kinne, Molsberry, Newberry, Smith of Des Moines, Spaulding, Stirton, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Clinton, Winne, Young of Calhoun—31.

The yeas were:
None.

Absent or not voting:

Bleakly, Bruce, Dunham, Eckles, Gale, Hasselquist, Hogue, Jackson, Lambert, Lewis, Lyons, Maytag, Saunders, Stookey, Taylor, Smith of Mitchell, Young of Fayette, Young of Lee, Young of Washington—19.

So the House amendment was concurred in.

HOUSE MESSAGES CONSIDERED.

Senate file No. 142, a bill for an act to amend the law as it appears in section twenty-seven hundred twenty-seven-c (2727-c) of the supplement to the code relating to salaries.

Ordered passed on file.

Senate file No. 213, a bill for an act to authorize the revocation and cancellation of a patent issued for the west ½ of northwest ¼ of section one (1) township seventy-four (74) north of range seventeen (17) west of the fifth principal meridian, Mahaska county, Iowa, and to authorize the issuance of patent covering the northwest quarter of section eleven (11) township seventy-four (74) north of range seventeen (17) west of the fifth principal meridian, Mahaska county, Iowa.

Ordered passed on file.

House file No. 385, a bill for an act to prohibit and regulate hospitals, hospital wards, institutions and places created for or maintained and used as lying-in or maternity hospitals, or hospital wards or places for the reception, care and treatment of women in labor.

Read first and second time and referred to committee on Judiciary.

House file No. 378, a bill for an act to repeal section thirty-four hundred fifty-five (3455) of the code, relating to failure of action by reason of the running of the statute of limitation, and to enact a substitute therefor.

Read first and second time and referred to committee on Judiciary.

House file No. 388, a bill for an act to regulate trust companies, to authorize such companies and state and savings banks to act in a fiduciary capacity, and to amend section sixteen hundred eleven (1611) of the code relating to corporations.

Read first and second time and referred to committee on Judiciary.

REPORTS OF COMMITTEES.

Senator Garst, from the committee on Appropriations submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred substitute for Senate file No. 13, a bill for an act to create a legislative commission to examine the subject of all insurance and the practice of the insurance companies doing business in the State and revise the insurance laws and provide a uniform policy of life and fire insurance and repor their findings and recommendations to the next General Assembly, and for other 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 same be amended as follows:

Amend line two (2), section nine (9), of the substitute bill by striking out the words "ten thousand" and substituting the words "seven thousand five hundred" in lieu thereof, and without further recommendation.

WARREN GARST,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committe on Appropriations to whom was referred Senate file No. 98 a bill for an act providing for the care and permanent preservation of the public archives and making an appropriation therefor beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

In section five (5) of the original bill, in lines three and four, change the reading "five thousand ($5,000.00) dollars per annum for two years" to "two thousand ($2,000 00) dollars per annum for three years, and when so amended the bill do pass.

Ordered passed on file.

WARREN GARST.
Chairman.

Also:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate file No. 333, a bill for an act appropriating money for the inspection of county and private institutions in which insane persons are kept, and associations, societies, and homes receiving friendless children, beg leave to report that 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.

WARREN GARST,
Chairman.

Ordered passed on file.

Senator Hartshorn, from the committee on Printing, submitted the following report:

MR. PRESIDENT—Your committee on Printing, to whom was referred Senate file No. 295, a bill for an act to amend section twelve hundred ninety-three (1293) of the code relative to the publication of the official ballot, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend the bill by striking out of the third line the word and figures "sixty (60)" and inserting in lieu thereof the word and figures "forty (40)", and by striking out of the fifth line the words and figures "one hundred (100)" and inserting in lieu thereof the words and figures "seventy (70)", and when so amended the bill do pass.

F. C. HARTSHORN,
Chairman.

Ordered passed on file.

Senator Brooks, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture to whom was referred House file No. 303, a bill for an act to amend the law as it appears in chapter sixty-eight (68) of the laws of the Thirtieth General Assembly, relating to levees, drains and water courses, beg leave to report that 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.

JOHN. T. BROOKS,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Agriculture to whom was referred Senate file No. 251, a bill for an act authorizing the Executive Council of the state to grant the right of way to Ft. Dodge, Des Moines and Southern Railway Co., over and across section thirty-three (33), township eighty-four (84), range twenty-four (24) and section twenty-five (25) and other lands, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the committee on Railroads.

JNO. T. BROOKS,
Chairman.

Adopted and the bill referred to the committee on Railroads.

Also:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred Senate file No. 226, a bill for an act for the protection of dairymen relating to testing of milk and cream, beg leave to report that 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 in line eight (8) of the original bill immediately following the period after the word "work" the following: "No fee shall be charged for such certificate," and when so amended the bill do pass.

JNO. T. BROOKS,
Chairman.

Ordered passed on file.

Also:

MR. PRERIDENT—Your committee on Agriculture to whom was referred Senate file No. 192 a bill for an act to amend section twenty-six hundred forty-even of the code in relation to the powers of the board of trustees of the tate college of agriculture and mechanic arts, beg leave to report that they have had the same under consideration and have instructed me to report the ame back to the Senate with the reccomendation that the same be referred o the committee on Railroads.

JOHN T. BROOKS,
Chairman.

Adopted and the bill referred to the committee on Railroads.

Also:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred Senate file No. 271, a bill for an act to provide for the holding of district farmers institutes (additional to chapter three (3), title nine (9) of the code), beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out section two (2), and when so amended the bill do pass.

JOHN T. BROOKS,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Agriculture to whom was referred Senate file No. 109, a bill for an act providing for the registration of stallions and fixing penalties for the violation thereof beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following be substituted therefor and that such substitute do pass.

JNO. T. BROOKS,
Chairman.

Ordered passed on file.

SUBSTITUTE FOR SENATE FILE NO. 109.

A BILL for an act to repeal sections twenty-three hundred forty-one (2341) and twenty-three hundred forty-two (2342) of the code, relative to the registration and publication of pedigrees, and to enact a substitute therefor.

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

Section 1. Section twenty-three hundred forty-one (2341) and section twenty-three hundred forty-two (2342) of the code are hereby repealed and h e following enacted in lieu thereof.

Section 2. Any owner or keeper of any stallion or bull kept for public service, or any owner or keeper of any stallion kept for sale, exchange or transfer, who represents such animal to be pure bred, thorough bred, standard bred or registered, shall cause the same to be registered in some stud book or herd book recognized by the department of agriculture at Washington, D. C., for the registration of pedigrees, and obtain a certificate of registration of such animal. He shall then forward the same to the secretary of the state board of agriculture of the state of Iowa, whose duty it shall be to examine and pass upon the correctness and genuineness of such certificate filed for enrollment. In making such examination, said secretary shall use as his standard the stud books or herd books recognized by the department of agriculture at Washington, D. C., and shall accept as pure bred, thorough bred, standard bred, or registered any animal registered in any of such stud books or herd books. And if such registration is found to be correct and genuine he shall issue a certificate under the seal of the department of agriculture, which certificate shall set forth the name, sex, age and color of the animal, also the volume, and page of the stud book or herd book in which such animal is registered. For each enrollment and certificate he shall receive the sum of one dollar, which shall accompany the certificate of registration when forwarded for enrollment.

Section 3. Any owner or keeper of a stallion or bull for public service who represents or holds such animal out as pure bred, thorough bred, standard bred or registered, shall place a copy of the certificate of the state board of agriculture on the door or stall of the stable where such animal is usually kept, and shall furnish to any patron who shall request it a copy of such certificate.

Section 4. If the owner of any registered animal shall sell, exchange or transfer the same, and the purchaser desires it, he shall transfer in writing the certificate issued by the state board of agriculture to the purchaser of such animal, and upon filing such certificate so assigned and accompanying the same with a fee of fifty cents, the secretary of the state board of agriculture shall issue a new certificate to the then owner of the animal, and all fees provided for by this act shall go into the treasury of the department of agriculture.

Section 5. Any person who shall fraudulently represent any animal, horse, cattle, sheep or swine to be pure bred, thorough bred, standard bred or registered, or any person who shall post or publish or cause to be posted or published any false pedigree or certificate, or shall use any stallion or bull for public service, or sell, exchange or transfer any stallion, representing such animal to be pure bred, thorough bred, standard bred or registered without first having such animal registered, and obtaining the certificate of the state board of agriculture as hereinbefore provided, or who shall violate any of the provisions of this act, shall be guilty of a misdemeanor, and punished by a fine of not more than one hundred dollars, or imprisoned in the county jail not exceeding thirty days, or by both such fine and imprisonment.

The substitute was read first and second time and passed on file.

Senator Stookey, from the committee on Public Buildings, submitted the following report:

MR. PRESIDENT:—Your committee on Public Buildings, to whom was referred joint resolution No. 4, a resolution to set aside room No. 27 for use of newspaper publishers and correspondents, beg leave to report that 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.

MARION F. STOOKEY,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

House file No. 52, a bill for an act to repeal section one hundred thirty-seven (137) of the code, relative to the publication and distribution of the proceedings of the Iowa State Teachers Association and to enact a substitute therefor, with the report of the committee recommending amendments and passage, was taken up, considered, and the report of the committee, adopted.

Senator Crossley moved that the amendment recommended by the committee be not adopted.

Carried.

By unanimous consent further consideration of the bill was postponed and its place retained on the calendar.

Senate file No. 231, a bill for an act to repeal section thirteen hundred ninety-one (1391) of the code, relating to delinquent taxes and to enact a substitute therefor, with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

Senator Hayward moved the adoption of the following committee amendments:

Strike out the word "same" in line seventeen (17) of section two (2) and insert in lieu thereof the words "net amount collected".

Adopted.

Senator Hayward moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Brooks, Courtright, Crawford, Dunham, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hayward, Hopkins, Hughes, Jamison, Kimmel, Newberry, Smith of Des Moines, Spaulding, Stirton, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun—28

The nays were:

None.

Absent or not voting:

Bleakly, Bruce, Crossley, Dowell, Eckles, Gale, Hasselquist, Hogue, Jackson, Jones, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Saunders, Stookey, Smith of Mitchell, Taylor, Wilson of Fayette, Young of Washington—22.

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

House file No. 257, a bill for an act to amend the law as it appears in section seventeen hundred nine (1709) of the code and of the supplement to the code relating to insurance with report of committee recommending a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Whipple moved that the substitute recommended by the committee be substituted for the original bill.

Carried.

Senator Whipple moved that the rule be suspended, and that 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:

Brooks, Courtright, Crawford, Crossley, Dowell, Dunham, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hayward, Hopkins, Hughes, Jamison, Jones, Kimmel, Kinne, Newberry, Smith of Des Moines, Spaulding, Stirton, Stuckslager, Turner Wade, Warren, Whipple, Wilson of Clinton, Young of Lee, Young of Calhoun—31.

The nays were:

None.

Absent or not voting:

Bleakly, Bruce, Eckles, Gale, Hasselquist, Hogue, Jackson, Lambert, Lewis, Lyons, Maytag, Molsberry, Saunders, Stookey, Smith of Mitchell, Taylor, Winne, Wilson of Fayette, Young of Washington—19.

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

Senator Dowell moved that Senate file No. 199 be indefinitely postponed.

Carried.

So the bill was indefinitely postponed.

Senate file No. 166 a bill for an act providing for the compilation and publication of a roster of Iowa soldiers, sailors and marines, and soldiers, sailors and marines of other states and territories living in Iowa, in the War with Mexico and the War of the Rebellion, the Spanish-American and Philippine Wars, including military service in the Spirit Lake expedition, and other service against the Indians, and making an appropriation therefor, with report of committee recommending a substitute and passage was taken up, considered, and the report of the committee adopted.

The substitute recommended by the committee was read for information.

Senator Harper moved that the substitute recommended by the committee be substituted for the original bill.

The substitute was adopted.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

Senator Harper moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Brooks, Courtright, Crawford, Crossley, Dowell, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hayward, Hughes, Jamison, Jones, Kimmel, Kinne, Molsberry, Newberry, Smith of Des Moines, Stirton, Stuckslager, Turner, Wade, Warren, Whipple, Young of Lee, Young of Calhoun—28.

The nays were:

None.

Absent or not voting:

Bleakly, Bruce, Dunham, Eckles, Gale, Hasselquist, Hogue, Hopkins, Jackson, Lambert, Lewis, Lyons, Maytag, Saunders, Smith of Mitchell, Spaulding, Stookey, Taylor, Winne, Wilson of Fayette, Wilson of Clinton, Young of Washington—22.

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

Senate file No. 279, a bill for an act additional to and amendatory of chapter one (1) of title eleven (11) of the code, and the law as it appears in chapter one (1) title eleven (11) of the supplement to the code and chapter seventy-seven (77) of the acts of the Thirtieth General Assembly, relative to the State Military force and Iowa National Guard, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

The President announced to the Senate the following amendments that were recommended by the Committee of the Whole.

Strike out all of section sixteen (16) of the original bill and insert the following in lieu thereof: "That the law as it appears in section twenty-two hundred eleven (2211) of the supplement to the code be and the same is hereby amended by inserting the words 'the Assistant Adjutant General shall receive an annual salary of one thousand five hundred dollars' after the word 'peace' in the fourth line thereof."

Also:

In section eighteen (18) of the original bill, in line four (4), strike out the words "One Hundred" and insert the words "Eighty-two" in lieu thereof, and in line six (6) of section eighteen (18) change the figures "100,000" to "82,000."

That section three (3) of this bill be amended by inserting the words "The Assistant Adjutant General shall be appointed upon the recommendation of the Adjutant General" after the word "commissioned" in the tenth line of the printed bill.

Add to section eight (8), "The law as it appears in section seven (7) of chapter seventy-seven (77) of the acts of the Thirtieth General Assembly be and the same is hereby repealed."

Senator Ericson moved that hereafter the Senate commence at 9 o'clock each morning instead of 9:30 o'clock.

Carried.

That section ten (10) of this bill be amended by adding thereto the following: "Schools for instruction may be ordered when sufficient funds are available beyond other requirements of this chapter."

That section thirteen (13) of this bill be amended by adding thereto the following: "These payments to be made when sufficient funds are available beyond other requirements of this chapter."

That section fourteen (14) of this bill be amended by adding thereto the following: "These payments to be made when sufficient funds are available beyond other requirements of this chapter."

Senator Harper moved the adoption of the amendments recommended by the Committee of the Whole.

Adopted.

Senator Harper moved that the rule be suspended, and that the bill be considered, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Brooks, Crawford, Crossley, Dowell, Dunham, Elerick, Ericson, Garst, Gillilland, Harper, Hayward, Hogue, Hopkins, Hughes Jones, Kimmel, Kinne, Newberry, Smith of Des Moines, Spaulding, Stirton, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun—30.

The nays were:

Courtright—1.

Absent or not voting:

Bleakly, Bruce, Eckles, Gale, Hartshorn, Hasselquist, Jackson, Jamison, Lambert, Lewis, Lyons, Maytag, Molsberry, Saunders, Stookey, Taylor, Smith of Mitchell, Wilson of Fayette, Young of Washington—19.

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

The Journal of Saturday was taken up, corrected and approved.

Senator Elerick moved that the Senate do now adjourn.

Carried.

Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday March 27, 1906.

Senate met in regular session at 9 o'clock A. M. President Herriott presiding.

Prayer was offered by the Rev. H. G. Pittenger of Sloan, Iowa.

On request of Senator Hopkins leave of absence was granted Senator Bruce until tomorrow.

On request of Senator Bleakly leave of absence was granted Senator Jackson until tomorrow.

On request of Senator Jamison leave of absence was granted Senator Stookey indefinitely.

Senator Taylor offered the following resolution and moved its adoption:

WHEREAS, Col. S. A. Moore, who was an honored member of this Senate in the Tenth and Eleventh General Assemblies and was also a member of the House of Representatives in the Twenty-ninth General Assembly, departed this life at his home in Bloomfield, Iowa, February 6, 1905. Therefore, be it

Resolved, That a committee of three be appointed by the President of the Senate to prepare and submit to the Senate appropriate resolutions in memory of the late Col. S. A. Moore.

Adopted.

The President announced as the committee to prepare and submit appropriate resolutions in memory of the late Col. S. A. Moore, Senators Taylor, Stookey and Harper.

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 bill in which the concurrence of the Senate is asked:

House file No. 393, a bill for an act to amend the law as found in section thirteen hundred four (1304) of the supplement to the code, relating to exemption of property from taxation.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 368, a bill for an act to repeal the law as it appears in section thirty hundred sixteen (3016) of the supplement to the code, relating to bushel by weight and to enact a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 230, a bill for an act to amend section twenty-four hundred three (2403) of the code as set forth in the supplement of 1902, relating to selling or giving to a minor or intoxicated person or person in the habit of becoming intoxicated, intoxicating liquors.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 340, a bill for an act to provide for the regulation of embalming and disposal of dead bodies, and to prevent the use of poisons in the preservation of dead bodies and for a system of examination, registration and licensing of embalmers, and to impose penalties for the violation of its provisions.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 345, a bill for an act to amend section nineteen (19) of chapter eighty (80) of the acts of the Thirtieth General Assembly.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 335, a bill for an act to repeal section sixteen hundred ninety-nine (1699) of the code and to enact a substitute in relation to investment of funds of insurance companies other than life, and organized under chapter four (4) of the code.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 283, a bill for an act granting additional powers to cities of the first class in levying taxes and providing means for making reconstruction or repairs of mains sewers, defining main sewers and making certain parts of the code applicable thereto.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 317, a bill for an act to repeal section seventeen hundred sixty-four (1764) of the code and section thirteen hundred thirty-three-d (1333-d) as the same appears in the supplement of the code and to enact a substitute therefor relating to the assessment of taxes on certain insurance companies and associations.

C. R. BENEDICT,
Chief Clerk.

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:

House file No, 392, a bill for an act to amend the law as found in section twenty-six hundred one (2601) and twenty-six hundred six (2606) of the code relative to admission to the State Soldiers Home.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 379, a bill for an act to amend the law as it appears in sections fifteen hundred thirty three (1533) and fifteen hundred forty-a (1540-a) of the supplement to the code relating to the collection of road taxes.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

House file No. 52, which was under consideration yesterday, was taked up and considered.

Senator Lambert moved the adoption of the following amendment:

I move to amend House file No. 52 by inserting after the comma following the word "copies", in the fourth line of the printed bill the following:

"Such number to be fixed by the Executive Council."

Adopted.

Senator Crossley moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Crawford, Crossley, Dowell, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jamison, Jones, Kimmel, Kinne, Lambert, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Clinton, Young of Lee, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Bruce, Courtright, Dunham, Jackson, Lewis, Lyons, Maytag, Molsberry, Stirton, Stookey, Wilson of Fayette, Winne, Young of Calhoun—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title 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 bill in which the concurrence of the House was asked:

Senate file No. 281, a bill for an act to legalize the acts and resolutions passed by the board of supervisors of Calhoun county, Iowa, allowing certain persons appointed to collect delinquent personal tax, a commission in addition to the five per cent provided by statute.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 286, a bill for an act to legalize the incorporation of the town of Osterdock, in Clayton county, Iowa, and to legalize the election of its officers and all acts done, and ordinances passed by the council of said town.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 301, a bill for an act to amend section twenty-six hundred forty-one (2641) of the code relative to the reports of the State University.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 303, a bill for an act to amend section twenty-six hundred eighty (2680) of the code relative to the Normal School and to the annual reports to the Governor.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 304, a bill for an act to amend section twenty-seven hundred seventeen (2717) of the code relating to the College for the Blind and reports to the Governor.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 165, a bill for an act to amend section one hundred thirty-eight (138) of the code in relation to printing the docket for the Supreme Court.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No, 300, a bill for an act to amend section ten hundred seventy-six (1076) of the code relative to the registration of voters.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No, 309, a bill for an act to amend section twenty six hundred twenty-five (2625) of the code, relating to Superintendent of Public Instruction and his reports.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 203, a bill for an act relating to the collection of poll tax and amending section fifteen hundred fifty (1550) of the code.

C. R. BENEDICT,
Chief Clerk.

Also:

MR, PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 5, in which the concurrence of the House was asked:

A bill for an act to amend sections seventeen hundred nine (1709) and seventeen hundred ten (1710) supplement to the code relating to insurance other than life.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 250, a bill for an act to legalize the making of certain plats made by the county auditors of Iowa and the recording of the same by the county recorders of Iowa, and to legalize the descriptions of land in all instruments, conveyances and incumbrances referring thereto.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 178, a bill for an act to amend section eighteen (18) and nineteen (19) provisions to the code and subsequent statutes in relation to county auditor's reports to the state auditor of codes, supplement to the code and session laws furnished by the secretary of state to county auditors.

C. R. BENEDICT.
Chief Clerk.

THIRD READING OF BILLS.

Senate file No. 241, a bill for an act to amend section seven hundred sixty-eight (768) of the code relating to the enclosing of street car vestibules, with report of committee recommending passage was taken up, considered, and the report of the committee, adopted.

Senator Harper offered the following amendment and moved its adoption:

Add to section one (1) of the bill: Nothing in section seven hundred sixty-eight (768) of the code as amended by this act, shall prohibit the use of passenger cars with at least three sides enclosed, now in use, on street railways in Iowa, until November first, 1908.

Adopted.

Senator Smith of Mitchell moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time,

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Jones, Kimmel, Kinne, Lambert, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Bruce, Crossley, Gale, Hogue, Jackson, Lewis, Lyons, Maytag Stirton, Stookey, Winne—11.

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

House file No. 301, a bill for an act to amend section thirty-four hundred ninety-four (3494) of chapter four (4) title eighteen (18) of the code as the same appears in the supplement to the code, relating to the place of bringing action, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Saunders moved the adoption of the following amendment recommended by the committee:

That section one (1) be amended by adding after word "that" in the first line thereof the words "the law as it appears in."

Adopted.

Senator Saunders moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Crossley, Dowell, Dunham, Elerick, Ericson, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Jones, Kimmel, Kinne, Lewis, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun—39.

The nays were:

None.

Absent or not voting:

Bruce, Eckles, Garst, Hogue, Jackson, Lambert, Lyons, Molsberry, Stirton, Stookey, Young of Washington—11.

Senator Courtright offered the following amendment to the title and moved its adoption:

Amend the title by striking therefrom the words "of chapter four (4), title eighteen (18) of the code."

Adopted.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended agreed to.

Senate file No. 110, a bill for an act to amend section sixteen hundred fifty-seven-d (1657-d) of the supplement to the code, relating to the agricultural convention, with report of committee recommending a substitute and passage was taken up, considered, and the report of the committee adopted.

Senator Brooks moved that the substitute recommended by the committee be substituted for the bill.

Carried.

Senator Gillilland offered the following amendment and moved its adoption:

Amend line four of substitute by inserting after the word "convention" and before the word "each" the words "including the election of members of the board."

Adopted.

Senator Brooks moved that the rule be suspended, that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Crossley, Elerick, Ericson, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hogue, Hopkins, Hughes, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—41.

The nays were:

None.

Absent or not voting:

Bruce, Dowell, Dunham, Eckles, Garst, Hayward, Jackson, Jamison, Stookey—9.

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

HOUSE MESSAGES CONSIDERED.

Senate file No. 281, a bill for an act to legalize the acts and resolutions passed by the board of supervisors of Calhoun county, Iowa, allowing certain persons appointed to collect delinquent personal tax, a commission in addition to the five per cent provided by statute.

Ordered passed on file.

Senate file No. 286, a bill for an act to legalize the incorporation of the town of Osterdock in Clayton county, Iowa, and to legalize the election of its officers and all acts done and ordinances passed by the council of said town.

Ordered passed on file.

Senate file No. 301, a bill for an act to amend section twenty-six hundred forty-one (2641) of the code relative to the reports of the State University.

Ordered passed on file.

Senate file No. 303, a bill for an act to amend section twenty-six hundred eighty (2680) of the code relative to the Normal School and to the annual reports to the Governor.

Ordered passed on file.

Senate file No. 304, a bill for an act to amend section twenty-seven hundred seventeen (2717) of the code relating to the College for the Blind and reports to the Governor.

Ordered passed on file.

Senate file No. 165, a bill for an act to amend section one hundred thirty-eight (138) of the code in relation to printing the docket for the Supreme Court.

Ordered passed on file.

Senate file No. 300, a bill for an act to amend section ten hundred seventy-six (1076) of the code, relative to the registration of voters.

Ordered passed on file.

Senate file No. 309, a bill for an act to amend section twenty-six hundred twenty-five (2625) of the code, relative to Superintendent of Public Instruction and his reports.

Ordered passed on file.

Senate file No. 203, a bill for an act relating to the collection of poll tax and amending section fifteen hundred fifty (1550) of the code.

Ordered passed on file.

House concurred in Senate amendments to House file No. 5, a bill for an act to amend sections seventeen hundred nine (1709) and seventeen hundred ten (1710) supplement to the code relating to insurance other than life.

Ordered passed on file.

House amended and passed Senate file No. 250, a bill for an act to legalize the making of certain plats made by the county auditors of Iowa and the recording of the same by the county recorders of Iowa, and to legalize the descriptions of land in all instruments, conveyances and incumbrances referring thereto.

Ordered passed on file.

House amended and passed Senate file No. 178, a bill for an act to amend sections eighteen (18) and nineteen (19) provisions to the code and subsequent statutes in relation to county auditors' reports to the State Auditor of codes, supplements to the code and session laws furnished by the Secretary of State to county auditors.

Ordered passed on file.

House file No. 393, a bill for an act to amend the law as found in section thirteen hundred four (1304) of the supplement to the code, relating to exemption of property from taxation.

Read first and second time and referred to committee on Military.

House file No. 368, a bill for an act to repeal the law as it appears in section thirty hundred sixteen (3016) of the supplement to the code, relating to bushels by weight and to enact a substitute therefor.

Read first and second time and referred to committee on Agriculture.

House file No. 230, a bill for an act to amend section twenty-four hundred three (2403) of the code as set forth in the supplement of 1902, relating to selling or giving to a minor or intoxicated person or persons in the habit of becoming intoxicated, intoxicating liquors.

Read first and second time and referred to committee on Suppression of Intemperance.

House file No. 340, a bill for an act to provide for the regulation of embalming and disposal of dead bodies, and to prevent the use of poisons in the preservation of dead bodies and for a system of examination, registration and licensing of embalmers, and to impose penalties for the violation of its provisions.

Read first and second time and placed on calendar.

House file No. 345, a bill for an act to amend section nineteen (19) of chapter eighty (80) of the acts of the Thirtieth General Assembly.

Read first and second time and referred to committee on Judiciary.

House file No. 335, a bill for an act to repeal section sixteen hundred ninety-nine (1699) of the code and to enact a substitute, in relation to investment of funds of insurance companies other than life, and organized under chapter four (4) of the code.

Read first and second time and referred to committee on Insurance.

House file No. 283, a bill for an act granting additional powers to cities of the first class in levying taxes and providing means for making reconstruction or repairs of sewers, defining main sewers and making certain parts of the code applicable thereto.

Read first and second time and referred to committee on Cities and Towns.

House file No. 317, a bill for an act to repeal section seventeen hundred sixty-four (1764) of the code and section thirteen hundred thirty-three-d (1333-d) as the same appears in the supplement to the code and enact a substitute therefor relating to the assessment of taxes on certain insurance companies and associations.

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

House file No. 392, a bill for an act to amend the law as found in sections twenty-six hundred one (2601) and twenty-six hundred six (2606) of the code relative to admission to the State Soldiers' Home.

Read first and second time and referred to committee on Military.

House file No. 379, a bill for an act to amend the law as it appears in sections fifteen hundred thirty-three (1533) and fifteen hundred forty-a (1540-a) of the supplement to the code, relating to collection of road taxes.

Read first and second time and referred to committee on Roads and Highways.

REPORTS OF COMMITTEES.

Senator Lewis, from the committee on Elections, submitted the following report:

MR. PRESIDENT:—Your committee on Elections to whom was referred Senate file No. 323 a bill for an act providing for the nomination, by political parties or organizations, of candidates for various offices and election of delegates to conventions of said political parties or organizations, by a primary election and for the holding of conventions for the nomination of candidates for certain offices by such political parties or organizations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the printed bill be amended as follows:

That section one (1) be amended by placing a comma after the word "township" in line two (2), and by striking out the word "district" in line two (2), and inserting in lieu thereof the word "legislative".

That section two (2) be amended by striking out all of said section after the word "organization" and inserting in lieu thereof the words "which maintains a county, district or state organization".

That section five (5) be amended by changing the second figure "seven" in the fourth line to the figure "eight", and by changing the figure "nine" in the fifth line of the printed bill to the figure "eight".

That section six (6) be amended by striking out the word and figure "seven (7)" in the tenth line and inserting in lieu thereof the word and figure "eight (8)".

That section seven (7) be amended by inserting after the word "persons" in the fifth line the words "who are qualified to and do vote, space for the registration of all persons"; and by striking out the word "party" in the twenty-third line and inserting in lieu thereof the word "voter", and inserting in line fifteen after the word "deposit", the word "it".

That section eight (8) be amended by striking out the word and figure "six (6)" in the fifteenth line, and inserting in lieu thereof the word and figure "seven (7)".

That section ten (10) be amended by inserting after the word "given" in the first line the word "to", and by striking out the words "representative, senatorial, judicial or congressional" in lines five (5) and six (6) and inserting in lieu thereof the word "legislative".

That section eleven (11) be amended by inserting after the word "said" in the second line the word "legislative"; by striking out the word "opened" in the eleventh line and inserting in lieu thereof the word "open"; and by striking out the word "said" in the nineteenth line and inserting in lieu thereof the words "the last preceding", and by inserting after the word "election" and before the period in the nineteenth line, the words "and one of such newspapers shall represent the political party which cast the next largest vote in such county at said general election".

That section twelve (12) be amended by striking out the word "congressional" in the sixth line thereof; that lines ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14), fifteen (15) and sixteen (16) of said section be stricken out.

That section sixteen (16) be amended by striking out the words "various district" in lines eighteen (18) and nineteen (19) and inserting in lieu thereof the word "legislative," and by inserting before the word "districts" in line twenty-one (21) the word "legislative"; and by striking out all of section sixteen (16) following the word "districts," in line twenty-one (21).

That section nineteen (19) be amended by striking out the word "chairman" in the eighth line, and inserting in lieu thereof the word "chairmen"; by striking out the word "several" in the tenth line and inserting in lieu thereof the word "legislative"; by inserting after the word "conventions" in the eleventh line the words "comprising more than one county"; by striking out the word "various" in the twelfth line, and inserting in lieu thereof the word "legislative"; by inserting after the word "different" in the nineteenth line the word "legislative"; by inserting after the words "selected to" in the twenty-first line the words "the district conventions other than legislative and to"; by inserting after the word "said" in line twenty-two (22) the words "district and"; by inserting after the words "various state" in line twenty-two (22) the words "and district"; by inserting after the word "offices" in line twenty-two (22) the words "other than legislative"; by inserting after the word "state" in line twenty-three (23) the words "and district"; and by inserting after the words "various state" in line twenty-five (25) the words "and districts," and when so amended the bill do pass.

L. W. LEWIS,
Chairman.

Ordered passed on file.

INTRODUCTION OF BILLS.

By Senator Brooks for committee on Agriculture, Senate file No. 334, a bill for an act to require operators of creameries to pasteurize skimmed milk before delivering the same to any person and providing a penalty for violation thereof.

Read first and second times and placed on calendar.

REPORTS OF COMMITTEES.

Senator Courtright, from the committee on Cities and Towns submitted he following report:

MR. PRESIDENT—Your committee on Cities and Towns to whom was re-referred Senate file No. 208, a bill for an act to amend section twenty-one hundred fifty-eight (2158), chapter eight (8), title ten (10) of the code, referring to telegraph and telephone lines, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without in any manner changing their former report.

O. B. COURTRIGHT,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns to whom was referred Senate file No. 225, a bill for an act to amend section six hundred sixty (660) of the code, and to provide for securing to the city interest on public funds, and for bonds with surety to protect against loss, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Insert after the word "made" and before the parenthesis in the fourth line of the bill the words "by law."

Strike out of the fourth line of section one (1) after the word "banks" the words "in the state" and insert in lieu thereof "in such city" and when so amended the bill do pass.

O. B. COURTRIGHT,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Cities and Towns to whom was referred Senate file No. 53, a bill for an act to amend the law as it appears in section eight hundred fifty (850) of the supplement to the code, relating to park commissioners, 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 same be indefinitely postponed.

O. B. COURTRIGHT,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 195, a bill for an act to repeal chapter thirty-one (31) of the laws of the Thirtieth General Assembly, and to enact a substitute therefor, relating to sewers in cities and in 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 the same be indefinitely postponed.

O. B. COURTRIGHT,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns, to whom was referred Senate file No. 73, a bill for an act exempting cities and towns, including cities incorporated under special charter, from liability for injury or damage to person or property, received or suffered upon a public highway, by reason or in consequence of snow or ice 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 same be indefinitely postponed.

O. B. COURTRIGHT,
Chairman.

Adopted.

So the bill was indefinitely postponed.

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 concurred in the following Senate amendments to House file No. 119 in which the concurrence of the House was asked:

A bill for an act to repeal section thirteen hundred six-b (1306-b) of the supplement to the code, and chapter forty-three (43) of the acts of the Thirtieth General Assembly and to enact a substitute therefor relating to to the limit of indebtedness of municipal corporations.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 311, a bill for an act providing for the creation of a Hospital Board in cities having a population over twelve thousand five hundred, and providing for the construction and maintaining of a hospital therein, and authorizing the creation of an indebtedness therefor and the levy of a tax upon the property in such cities for the payment of said indebtedness, and providing certain conditions under which an indebtedness for this purpose may in cities of the second class exceed one and one-fourth per centum of the actual valuation of properly in such cities.

C. R. BENEDICT,
Chief Clerk.

The Senate resumed consideration of Senate file No. 240 which was under consideration last Thursday.

Senator Whipple was called to the chair at 10:20 o'clock A. M.

The President resumed the chair at 10:45 o'clock A. M.

Senator Newberry moved that when the Senate adjourn it be until 2 o'clock P. M.

Carried.

The time having arrived the Senate stood adjourned.

AFTERNOON SESSION

Senate met pursuant to adjournment at 2 o'clock, P. M., President Herriott presiding.

The Senate resumed consideration of Senate file No. 240, which was under consideration at adjournment this morning.

Senator Courtright asked unanimous consent that the bill be read section by section.

Consent granted.

Senator Saunders offered the following amendment and moved its adoption:

Amend section eighteen (18) by inserting the words "commutation or reprieve" after the word "pardon" in said section and before the word "of."

Adopted.

Senator Jamison offered the following amendment and moved its adoption:

Move to amend section two (2) by striking out the word "thirty (30)" in the third line thereof, and inserting the word "twenty-five (25)".

Adopted.

Senator Courtright offered the following amendment and moved its adoption:

Amend section two (2) of the printed bill by adding after the word "treason" in the fourth line thereof the following:

"or any other crime where the punishment may be imprisonment for life."

Adopted.

Senator Courtright offered the following amendment and moved its adoption:

Amend section nine (9) of the printed bill by striking out the word "or" in the second line thereof, and by inserting in lieu thereof a comma, and by adding after the word "murder" in the same line the following:

"Or any crime for which the punishment may be life imprisonment".

Adopted.

Senator Jamison offered the following amendment and moved its adoption.

Amend section nine (9) by inserting after the word "maximum" in the fifth line of said section the following: "nor be less than the minimum".

Adopted.

Senator Young of Calhoun moved the previous question on the bill.

Carried.

Senator Young of Calhoun was called to the chair at 3:20 o'clock P. M.

The President resumed the chair at 3:40 o'clock P. M.

Senator Saunders moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Brooks, Dunham, Garst, Harper, Hayward, Hopkins, Hughes, Lambert, Lewis, Maytag, Saunders, Smith of Mitchell, Stirton, Stuckslager, Turner, Warren, Whipple, Young of Calhoun—18.

The nays were:

Bleakly, Courtright, Crawford, Crossley, Dowell, Eckles, Elerick, Ericson, Gillilland, Hartshorn, Hasselquist, Hogue, Jackson, Jamison, Jones, Kimmel, Kinne, Lyons, Molsberry, Newberry, Smith of Des Moines, Spaulding, Taylor, Wade, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Washington—28.

Absent or not voting:

Bruce, Gale, Stookey, Winne—4.

So the bill having failed to receive a constitutional majority was declared lost.

Senator Lambert offered the following resolution and moved its adoption:

WHEREAS, Hon. John Hilsinger, a distinguished member of the Senate of the Tenth and Eleventh General Assemblies, was called to the higher life on Monday evening, March 26, 1906.

Resolved, that the President of the Senate appoint a committee of three to prepare and present to the Senate suitable resolutions, commemorating the life, character and public services of the deceased.

Adopted.

Senator Ericson moved that when the Senate adjourn it be until 7:30 o'clock P. M.

The motion was lost.

Senator Maytag offered the following resolution:

Resolved. That no Senator shall be allowed to exceed fifteen minutes in the discussion of any question without the consent of the Senate, and no Senator in charge of a bill shall have to exceed ten minutes in closing debate.

Laid over.

INTRODUCTION OF BILLS.

By Senator Gale, Senate file No. 335, a bill for an act to amend section twenty-seven hundred twenty-seven-c (2727-c) of the code relating to salaries of chief executive of certain state institutions.

Read first and second time and referred to committee on Compensation of Public Officers.

Senator Stirton asked unanimous consent that House file No. 336 be recalled from the House.

Consent granted.

Senator Stirton filed the following motion to reconsider:

I move to reconsider the vote by which House file No. 336 passed the Senate March 24th.

ROBERT C. STIRTON.

Ordered passed on file.

The President announced that he had appointed as the committee to prepare and present suitable resolutions commemorating the life of Hon. John Hilsinger, Senators Lambert, Whipple and Jackson.

Senator Dowell moved that the Senate do now adjourn.

Carried.

Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER
DES MOINES IOWA, Wednesday, March 28, 1906.

Senate met in regular session at 9 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. R. W. Hughes, of Oskaloosa, Iowa.

On request of Senator Smith of Des Moines leave of absence was granted Senator Taylor indefinitely.

On request of Senator Courtright leave of absence was granted Senator Elerick until tomorrow.

Senator Spaulding presented petition of residents of Chickasaw county favoring the passage of the Time Limit bill.

Referred to committee on Suppression of Intemperance.

Senator Jamison called up the resolution introduced by him relative to a sifting committee.

Senator Jamison moved the adoption of the resolution.

Senator Crawford moved that further consideration of the resolution be deferred until next Monday.

The motion was lost.

On the question Shall the resolution be adopted?

The resolution was adopted.

Senator Crossley moved that Senate file No. 323 be made a special order for tomorrow morning at ten o'clock A. M.

On the question Shall the motion prevail?

A roll call was demanded.

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dunham, Eckles, Gale, Gillilland, Hartshorn, Hasselquist, Hogue, Jackson, Jamison, Kinne, Molsberry, Saunders, Stuckslager, Warren, Whipple. Wilson of Clinton—22.

The nays were:

Dowell, Garst, Hayward, Hopkins, Hughes, Jones, Kimmel, Lambert, Lewis, Lyons, Maytag, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Wilson of Fayette, Young of Calhoun, Young of Washington—18.

Absent or not voting:

Elerick, Ericson, Harper, Stirton, Stookey, Taylor, Turner, Wade, Winne, Young of Lee—10.

So the motion carried.

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 bill in which the concurrence of the Senate is asked:

House file No. 391, a bill for an act to repeal section twenty-seven hundred sixty-three (2763) of the code, relating to notice of special meetings and to enact a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 390, a bill for an act to repeal section twenty-eight hundred twelve-b (2812-b) of the supplement to the code, relating to school district bonds, and to enact a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

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. 91, a bill for an act making an appropriation for the Department of Agriculture for the erection of a permanent steel amphitheater on the State Fair Grounds.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 193, a bill for an act making appropriation for the erection of a monument in Sheron cemetery, Lee county, Iowa, over the grave of Geo. Perkins, a soldier of the Revolutionary war.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 307, a bill for an act to amend section twenty-four hundred sixty-nine (2469) and to amend the law as it appears in section twenty-four hundred seventy (2470) of the supplement to the code, relating to the Bureau of Labor Statistics.

C. R. BENEDICT,
Chief Clerk,

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 308, a bill for an act to amend sections one (1) and nine (9) of chapter eighty-seven (87) of the acts of the Thirtieth General Assembly in relation to the inspection of petroleum products.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 302, a bill for an act to amend the law as it appears in section twenty-six hundred fifty (2650) of the supplement to the code, relative to the State College of Agriculture and Mechanic Arts.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

House has concurred in Senate amendments to House file No. 119, a bill for an act to repeal section thirteen hundred six-b (1306-b) of the supplement to the code, and chapter forty-three (43) of the acts of the Thirtieth General Assembly, and to enact a substitute therefor relating to the limit of indebtedness of municipal corporations.

Ordered passed on file.

House file No. 381, a bill for an act providing for the creation of a Hospital Board in cities having a population over twelve thousand five hundred, and providing for the construction and maintaining of a hospital therein, and authorizing the creation of an indebtedness therefor and the levy of a tax upon the property

in such cities for the payment of said indebtedness, and providing certain conditions under which an indebtedness for this purpose may in cities of the second class exceed one and one-fourth per centum of the actual valuation of property in such cities.

Read first and second time and placed on the calendar.

House has amended and passed Senate file No. 308, a bill for an act to amend sections one (1) and nine (9), chapter eighty-seven (87) of the acts of the Thirtieth General Assembly, in relation to the inspectors of petroleum products.

Ordered passed on file.

House has amended and passed Senate file No. 307, a bill for an act to amend section twenty-four hundred sixty-nine (2469) and to amend the law as it appears in section twenty-four hundred seventy (2470) of the supplement to the code, relating to the Bureau of Labor Statistics.

Ordered passed on file.

House has amended and passed Senate file No. 302, a bill for an act to amend the law as it appears in section twenty-six hundred fifty (2650) of the supplement to the code, relative to the State College of Agriculture and Mechanic Arts.

Ordered passed on file.

Senate file No. 193, a bill for an act making appropriation for the erection of a monument in Sheron Cemetery, Lee county, Iowa, over the grave of George Perkins, a soldier of the Revolutionary war.

Ordered passed on file.

House file No. 91, a bill for an act making an appropriation for the Department of Agriculture for the erection of a permanent steel amphitheater on the State Fair grounds.

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

House file No. 390, a bill for an act to repeal section twenty-eight hundred twelve-b (2812-b) of the supplement to the code relating to school district bonds, and to enact a substitute therefor.

Read first and second time and referred to committee on Schools.

House file No. 391, a bill for an act to repeal section twenty-seven hundred sixty-three (2763) of the code, relating to notice of special meetings and to enact a substitute therefor.

Read first and second time and referred to committee on Schools.

REPORTS OF COMMITTEES.

Senator Jackson, 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. 267, a bill for an act to amend section one hundred fifty-four (154) of the code, relating to the salary of Custodian of Public Buildings, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JOHN H. JACKSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Compensation of Public Officers, to whom was referred Senate file No. 299, a bill for an act to amend the law as it appears in section six hundred seventy-four (674) of the supplement to the code, relative to the compensation of assessors, beg leave to report that 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.

JOHN H. JACKSON
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Brooks from the committee on Agriculture submitted the following report:

MR. PRESIDENT—Your committee on Agriculture to whom was referred Senate file No. 93, a bill for an act to provide for the further encouragement and development of the dairy interests of the state and to appropriate money therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JNO. T. BROOKS,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Dowell, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 388, a bill for an act to regulate trust companies, to authorize such companies and state and savings banks to act in a fiduciary capacity, and to amend section sixteen hundred eleven (1611) of the code, relating to corporations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitcly postponed.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate file No. 41, a bill for an act to protect deserving wives and minor children against non-support by husbands, beg leave to report that 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.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 216, a bill for an act to legalize conveyance of real estate by executors, administrators and guardians 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 same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 282 a bill for an act for the relief of the grantees of John S. Bussey, and for the purpose of having a patent issued in the name of Samuel Kingery, for a certain tract of land, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
Chairman,

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 206 a bill for an act to amend section seven hundred twenty-five (725), chapter four (4), title five (5) of the code referring to general powers, beg leave to report that 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. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 314, a bill for an act to repeal section thirty-five hundred thirty-eight (3538) of the code, relative to unknown defendants having an interest in real estate, 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 same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 219 a bill for an act to amend section five thousand forty (5040) of the code, relative to breach of the Sabbath, beg leave to report that 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 indfinitely postponed.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 244 a bill for an act to amend sections twenty-three hundred fifty-nine (2359), five hundred fifty five (555) 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 the same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 345, a bill for an act to amend section nineteen, (19) of chapter eighty (80) of the acts of the Thirtieth General Assembly, beg leave to report that they have had the same under considetation and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 97, a bill for an act to repeal sections thirty-one hundred ninety-seven (3197), thirty-two hundred nine (3209) and thirty-two hundred fifteen (3215) and to amend section thirty-two hundred fourteen (3214) of the code, and to enact a substitute for said section thirty-one hundred ninety-seven (3197,) beg leave to report that 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.

C. C. DOWELL,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 103, a bill for an act relating to the manner of serving notice or process on corporations organized under the laws of Iowa, but having no resident officer on whom notice may be served, beg leave to report that 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 following substitute:

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

SUBSTITUTE FOR HOUSE FILE NO. 103.

A BILL for an act to amend section sixteen hundred twelve (1612) of the code, and providing for service of notice or process on certain corporations by adding to said section the following:

Section 1. Section sixteen hundred twelve (1612) of the code is hereby amended by adding thereto the following:

Provided that any corporation organized under the laws of this State that does not maintain an office in the county of its organization, or transaction business in this State, shall file with the secretary of state a written instrument duly signed and sealed, authorizing the secretary of state to acknowl-

edge service of notice or process for and in behalf of such corporation in this State, and consenting that service of notice or process may be made upon the secretary of state, and when so made shall be taken and held as valid as if served according to the laws of this State, and waiving all claim or right or error by reason of such acknowledgment of service. Such notice or process, with a copy thereof, may be mailed to the secretary of state at Des Moines, Iowa, in a registered letter addressed to him by his official title and he shall immediately upon its receipt acknowledge service thereon in behalf of the defendant corporation by writing thereon, giving the date thereof, and shall immediately return such notice or process in a registered letter to the clerk of the court in which the suit is pending, addressed by his official title, and shall also forthwith mail such copy, with a copy of his acknowledgment of service written thereon, in a registered letter addressed to the corporation or person who shall be named or designated by the corporation in such written instrument.

If any such corporation shall fail to file with the secretary of state the power and authority to acknowledge service as herein provided on or before July 1st, 1906, it shall be the duty of the secretary of state to notify such corporation to file such power and authority within thirty days thereafter, and in case of failure to comply with such notice it shall be the duty of the attorney general of the state to proceed against such corporation to forfeit its charter and wind up its affairs.

The substitute was read first and second time and passed on file

Senator Gillilland asked unanimous consent to withdraw the motion filed by him Saturday to reconsider the vote by which the resolution relative to final adjournment was adopted.

Consent granted.

Senator Young of Lee from the committee appointed to draft suitable resolutions respecting the death of William G. Kent, submitted the following report and moved its adoption:

MR. PRESIDENT—The committee appointed to draft resolutions on the death of William G. Kent, beg leave to report:

William G. Kent was born August 10, 1837, at Belle Fonte. Pennsylvania, and while very young removed with his parents to Fort Madison, Iowa. He received his education at Denmark Academy, Denmark, Iowa. In 1867 he was elected County Superintendent of Schools of Lee county, serving two terms and declining the renomination for a third term. He was a life long member of the democratic party and was elected a member of the Iowa House of Representatives of the Twenty-first General Assembly in 1885, resigning in 1886 to accept the democratic nomination for State Senator to fill the vacancy caused by the resignation of the late Judge J. M. Casey. He was elected, and in the fall of 1889 was reelected for a full term, serving as Senator in the Twenty-second, Twenty-third and Twenty-fourth General Assemblies. Mr. Kent took high rank both in the Senate and in the House. Naturally a genial and clever gentleman. Senator Kent made many friends and was very influential in securing the passage of the measures which he championed.

He performed his duties on committees wisely and faithfully, Lee county has never been better represented in the State Legislature than by him. In 1892 he was nominated for railroad commissioner and was defeated with the rest of the ticket.

In 1894 he was appointed by Gov. Jackson as member of the commission to plan, locate and erect a hospital for the insane in North-western Iowa. On the death of General Ed. Wright he was chosen Secretary of the commission which erected the magnificent hospital at Cherokee. He held commissions from Governors Larabee, Boies and Jackson, as delegate to the National Farmers Congress, Commerical Congress and Commerical Convention and Trans-Mississippi Convention. Since 1888 Senator Kent occupied the position of Vice President of the Lee County Savings Bank. He was married in Dec. 1863, to Miss Sarah E. Shepherd, of Lee county who survives him. He was a man of deep thought and conservative action and impressed himself deeply on his county and state.

In his death the district which he so ably and faithfully represented, has lost one of its most respected and influential men, and the state one of its most honored and esteemed citizens. The life and character of William G. Kent will be an inspiration to the youth who knew him, for it was pure and spotless, with high ideals and lofty ambition. The impress he made upon all who came in contact with him, will live and linger in their memory, cherished by them as a remembrance of one who was a man in the fullest sense of the word, honored and respected by all.

Resolved, That we extend to his family our most sincere sympathy in the loss of a devoted husband.

Resolved, That these resolutions be entered on the journals of the House and Senate and that an engrossed copy be presented to the widow of the deceased, by the Secretary of the Senate.

D. A. YOUNG,
R. A. HASSELQUIST,
L. L. TAYLOR.
On the part of the Senate.

C. A. KENNEDY,
L. S. SUMMERS,
HENRY RITTER.
On the part of the House.

Adopted unanimously by a rising vote.

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 concurred in Senate amendments to House file No. 30, in which the concurrence of the House was asked:

A bill for an act to amend section thirty-four hundred ninety-four (3494), of chapter four (4), title eighteen (18) of the code as the same appears in the supplement to the code, relating to the place of bringing actions.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 52 in which the concurrence of the House was asked:

A bill for an act to repeal section one hundred thirty-seven (137) of the code, relative to the publication and distribution of the proceedings of the Iowa State Teacher's Association and to enact a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 257 in which the concurrence of the House was asked:

A bill for an act to amend section seventeen hundred nine (1709) of the code and of the supplement to the code, relating to insurance.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House herewith returns House file No. 336.

A bill for an act to authorize the executive council to convey to Jones county, Iowa, a roadway through the east half of the southwest quarter of section thirty-three (33), township eighty-five (85), north of range four (4), west of the fifth principal meridian.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

Substitute for Senate file No. 13, a bill for an act to create a legislative commission to examine the subject of all insurance and the practice of the insurance companies doing business in this state, and revise the insurance laws and provide a uniform standard policy for life and fire insurance, and report their findings and recommendations to the next Genera. Assembly, and for other purposes, was taken up and considered.

On the question, Shall the report of the Appropriation committee be adopted?

The report was not adopted.

On the question, Shall the report of the Insurance committee be adopted?

The report was adopted.

Senator Warren moved that the substitute recommended by the Insurance committee be substituted for the original bill.

The substitute was adopted.

Senator Warren offered the following amendment and moved its adoption:

Amend substitute to House file No. 13.

Strike out the word "revise" in the third line of the title in the printed bill and insert in lieu thereof the words "make recommendations concerning."

Adopted.

Senator Warren offered the following amendment and moved its adoption:

Amend section seven (7) of substitute to Senate file No, 13 by striking out the period at the end of said section and adding the following: "together with any other recommendations which said commission after investigation may deem advisable."

Adopted.

Senator Saunders was called to the chair at 10:10 o'clock A. M.

Senator Warren moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham,Eckles, Ericson, Gale, Garst, Gillilland, Harper,Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne. Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—43.

The nays were:

Crawford, Saunders—2,

Absent or not voting:

Elerick, Stookey, Stuckslager, Taylor, Wade—5.

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

The President resumed the chair at 10:30 o'clock A. M.

REPORT OF COMMITTEE.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred House file No. 129, a bill for an act providing for the care and permanent preservation of the Public Archives, and making an appropriation therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend lines three (3) and four (4) of section five (5) of the original bill by changing the reading "five thousand dollars ($5,000) per annum for one year" to "two thousand dollars ($2,000) per annum for three years," and when so amended the bill do pass.

WARREN GARST,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

Senate file No. 298 a bill for an act for the relief of W. J. McAhren, and making an appropriation of one hundred fifty one and ninety one-hundredths dollars ($151.90) therefor with report of committee recommending passage was taken up, considered, and the report of the committee, adopted.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

Senator Saunders moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dunham, Eckles, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Turner, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—40.

The nays were:

None.

Absent or not voting:

Dowell, Elerick, Gale, Jones, Molsberry, Stookey, Stuckslager, Taylor, Wade, Whipple—10.

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

Senate file No. 169, a bill for an act appropriating the sum of five thousand dollars ($5000.00) to be paid to Lena Ness, guardian of Andrew T. Ness, for the use and benefit of Andrew T. Ness, in settlement of all claims against the state of Iowa by reason of injury to Andrew T. Ness and damages resulting therefrom in the loss of a leg and for the pain and suffering resulting from said injury, said injury occurring while the said Andrew T. Ness was detained in the State Hospital for the Insane at Independence, Iowa, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

The President announced that the Committee of the Whole recommended the adoption of the following amendments:

Amend as follows:

In line five (5), section three (3) of the original bill insert after the word "receipt" the words "duly authorized by court."

Amend by striking out the words "five thousand" and figures "5000.00" in the first line of the title of the original bill and substituting in lieu thereof the words "one thousaud" and figures "1000.00."

Amend section one (1) by striking out the words "five thousand" in the second line of said section and substituting in lieu thereof the words "one thousand." Also by striking out the figures "5000.00" in the third line of said section and substituting in lieu thereof the figures "1000.00."

Amend section three (3) by striking out the words "five thousand" in the third line of said section and substituting in lieu thereof the words "one thousand." Also by striking out the figures "5000.00" in the fourth line of said section and substituting in lieu thereof the figures "1000.00."

Senator Garst moved the adoption of the amendments recommended by the Committee of the Whole..

Adopted.

Senator Young of Calhoun, moved that the rule be suspended, and that the bill be considered engrossed. and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass.

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford Crossley, Dowell, Dunham, Eckles, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Turner, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington —40.

The nays were:

None.

Absent or not voting:

Elerick, Gale, Molsberry, Saunders, Stookey, Stuckslager, Taylor, Wade, Warren, Whipple—10.

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

House file No. 39 a bill for an act to amend section fifteen hundred thirty (1530), chapter two (2), title eight (8) of the supplement to the code of Iowa in relation to the levy of a county road fund, with report of committee recommending amendments and passage was taken up, considered, and the report of the committee, adopted.

Senator Kinne moved the adoption of the following amendment recommended by the committee.

Amend as follows: by striking out the words "twenty-five per cent" and insert in lieu thereof the words "a majority" in line one (1) of section one (1).

Adopted.

Senator Courtright offered the following amendments and moved their adoption:

Amend the bill by striking out the word "dollar" in the first line and insert in lieu thereof the following: "determine" in the eighth line of said section."

Also insert before the word "That" in the second line of the bill the word "Provided" and change the capital "T" in the same word "That" to a lower case letter.

Adopted.

Senator Kinne moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crawford, Crossley, Dunham, Eckles, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jamison, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Turner, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Calhoun, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Brooks, Dowell, Elerick, Gale, Jackson, Jones, Molsberry, Saunders, Stookey, Stuckslager, Taylor, Wade, Whipple, Young of Lee—14.

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

Senator Lambert moved that the vote by which House file No. 244 was indefinitely postponed be reconsidered.

Carried.

Senator Maytag called up the resolution offered by him yesterday and moved its adoption:

RESOLUTION.

Resolved, That no Senator shall be allowed to exceed ten minutes in the discussion of any question without the consent of the Senate, and no Senator in charge of a bill shall have to exceed ten minutes in closing debate.

On the question "Shall the resolution be adopted"? a roll call was demanded.

The yeas were:

Bleakly, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Ericson, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Warren, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—35.

The nays were:

None.

Absent or not voting:

Brooks, Elerick, Garst, Hayward, Hogue, Hopkins, Lewis, Saunders, Stookey, Stuckslager, Taylor, Turner, Wade, Whipple, Winne—15.

So the resolution was adopted.

Senator Turner moved that when the Senate adjourn it be until 2 o'clock P. M.

Carried.

House file No. 280 a bill for an act to amend sections twenty-five hundred seventy-five-c (2575-c), twenty-five hundred seventy-five-d (2575-d), twenty five hundred seventy-five-e (2575-e) and twenty-five hundred seventy-five-f (2575-f) and to amend chapter sixteen-a (16-a) of the supplement to the code, relative to bringing into the state, nursery stock, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Crossley moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crawford, Crossley, Dunham, Eckles. Ericson, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Newberry, Spaulding, Stirton, Warren, Wilson of Fayette, Wilson of Clinton, Young of Calhoun, Young of Washington—27.

The nays were:

None.

Absent or not voting:

Brooks, Dowell, Elerick, Garst, Hayward, Hogue, Hopkins, Lambert, Lewis, Lyons, Maytag, Saunders, Stookey, Stuckslager, Taylor, Turner, Wade, Whipple, Winne, Young of Lee, Smith of Des Moines, Smith of Mitchell, Molsberry—23.

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

Senator Dowell was called to the chair at 11:25 A. M.

House file No. 224, a bill for an act to amend the law as it appears in chapter thirty-six (36) of the laws of the Thirtieth General Assembly relating to park commissioners, with report of committee recommending passage was taken up, considered, and the report of the committee, adopted.

Senator Saunders offered the following amendment and moved its adoption:

Add to section one (1). Provided, however, That in the cities having a population of less than sixty-five thousand (65,000) and more than six hundred (600) acres of park, the park commissioners may be paid a salary of not to exceed two hundred and fifty ($250.00) dollars each, provided that the same shall be authorized by resolution passed by a majority of the city council."

Adopted.

Senator Jackson moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hughes, Jackson, Jamison, Jones, Kinne, Lewis, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Turner, Warren, Whipple, Wilson of Fayette, Young of Lee, Young of Washington—32.

The nays were:

None.

Absent or not voting:

Brooks, Elerick, Ericson, Garst, Hogue, Hopkins, Kimmel, Lambert, Lyons, Maytag, Molsberry, Stookey, Stuckslager, Taylor, Wade, Winne, Wilson of Clinton, Young of Calhoun—18.

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

Senator Hayward asked unanimous consent that Senate file No. 317 be re-referred to the committee on Ways and Means.

Consent granted.

Senate file No. 214, a bill for an act to provide for the organization of consolidated independent districts (additional to title thirteen (XIII), chapter fourteen (14) of the code), with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Kimmel, Kinne, Lambert, Lewis, Lyons, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Calhoun, Young of Washington—34.

The nays were:

Bleakly—1.

Absent or not voting:

Brooks, Elerick, Hogue, Jackson, Jones, Maytag, Molsberry Spaulding, Stookey, Stuckslager, Taylor, Turner, Wade, Winne, Young of Lee—15.

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

The President resumed the chair at 11:45 A. M.

Senate file No. 191 a bill for an act to amend section fifteen hundred thirty-eight (1538) of the code, relating to compensation of trustees and township clerks, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Jones moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were

Bleakly, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Ericson, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Brooks, Elerick, Gale, Garst, Gillilland, Harper, Hogue, Maytag, Stookey, Stuckslager, Taylor, Wade, Winne, Smith of Mitchell—14.

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

The Journal of yesterday was taken up, corrected and approved.

Senator Hughes moved that the Senate do now adjourn.

Carried.

Senate stood adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M., President Herriott presiding.

THIRD READING OF BILLS.

House file No. 175, a bill for an act amending section three thousand forty-seven (3047) of the code relating to the assignment of wages, with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

Senator Courtright moved the adoption of the following committee amendments:

Amend section one (1) of the bill by inserting after the word "and," and before the word "unless," in the fifth line thereof, the following: "if married."

And by striking out of the sixth line thereof the following: "if both are living."

Adopted.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Ericson, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Newberry, Spaulding, Stirton, Stuckslager, Wilson of Clinton, Young of Lee—27.

The nays were:

None.

Absent or not voting:

Brooks, Elerick, Gale, Garst, Hogue, Lambert, Lewis, Lyons, Maytag, Molsberry, Saunders, Stookey, Taylor, Turner, Wade, Warren, Whipple, Winne, Smith of Des Moines, Smith of Mitchell, Wilson of Fayette, Young of Calhoun, Young of Washington—23.

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

Senate file No. 246, a bill for an act to repeal section twenty-two hundred eighty-seven (2287) of the code and chapter seventy-nine (79) of the acts of the Thirtieth General Assembly amending said section and to enact a substitute therefor in regard to the capture and return of patients escaped from hospitals for the insaneand the p ymen of the expenses th ereof, w ith report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Dunham moved the adoption of the following committee amendments:

Amend the title by inserting after the word "section" in the first line and before the figures "2287", the words "two thousand two hundred eighty-seven," and also place in brackets the figures "2287" in the first line of the title.

A nend section one (1) by inserting after the word "section" in the first line and before the figures "2287", the words "two thousand two hundred eighty-seven," and also by placing in brackets the fig ures "2287" in the first line

Adopted.

Senator Turner moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Ericson, Garst, Gillilland, Hartshorn Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kinne, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stuckslager, Turner, Warren, Wilson of Fayette. Wilson of Clinton, Winne, Young of Lee, Young of Washtngton—39.

The nays were:

None.

Absent or not voting:

Elerick, Gale, Harper, Hogue, Kimmel, Molsberry, Stookey, Taylor, Wade, Whipple, Young of Calhoun.—11.

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

Senator Saunders asked unanimous consent to recall House file No. 338, from the committee on Penitentiarties and Pardons and that it be referred to the Judiciary committee.

Consent granted.

Senator Saunders asked unanimous consent to recall Senate file No. 100 from the committee on Penitentiaries and Pardons.

Consent granted.

Senate file No. 247 a bill for an act to provide for the care and removal to their place of legal settlement of non-resident insane and for the payment of the expenses thereof and repealing section twenty-seven hundred twenty-seven-a twenty-eight (2727-a 28) of the supplement to the code and all acts and parts of acts in conflict with this act, with report of committee recommending amendments and passage was taken up, considered, and report of the committee adopted.

Senator Dunham moved the adoption of the following committee amendments:

Amend the title by inserting after word "repealing" in the third line and before the word "section" in the same line the words "the law as it appears in."

Amend section three (3) by inserting after the figure "3" in the first line of said section, and before the word "section" in the same line the following: "The law as it appears in."

Adopted.

Senator Dunham moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Ericson, Garst, Gillilland, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Jones, Lambert, Lewis, Lyons, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stuckslager, Turner, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Elerick, Gale, Harper, Hogue, Jackson, Kimmel, Kinne, Maytag, Molsberry, Stookey, Taylor, Wade, Whipple, Smith of Mitchell—14.

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

Senate file No. 30, a bill for an act to repeal sections twenty-seven hundred thirty-four (2734), twenty-seven hundred thirty-five (2735), twenty-seven hundred thirty-six (2736), twenty-seven hundred thirty-seven (2737) of the code and sections twenty-seven hundred thirty-four (2734), twenty-seven hundred thirty-six (2736), twenty-seven hundred thirty-seven (2737) of the supplement to the code and to define the qualication of county superintendents, to provide for the examination and certification of teachers for the public school, the classification of teachers' certificates and registration of the same, was taken up and considered.

Senator Warren moved the Senate concur in the following House amendments:

Amend the title by inserting after the word "section" in line one (1) the words and figures, "twenty-six hundred thirty-two (2632)."

Amend line two (2) of section two (2) by inserting between the word "act" and the word "and" the words, "or of a state certificate or a life diploma."

Amend section two (2) by adding after the word "corporation" in the tenth line the words, "and give personal instruction to the pupils for at least one-fourth of a school day."

Amend section three (3) by striking out the period after the word "supervisors" in line five (5) and inserting a semi-colon in lieu thereof, followed by the phrase, "but the county superintendent may at his discretion cause to be held at the time of any regular examination an additional examination at some other place in the county."

Amend the bill by inserting after section four (4) of said bill the following, which shall be known as section five (5):

Section 5. That a special certificate may be issued for any subject, or any group of subjects, taught in the public schools of Iowa, under such regulations as the Board of Examiners may adopt. A special certificate shall be issued for a term of three years and shall be renewable under the same conditions as apply to the renewal of first grade certificates. It shall state the names of the subjects for which it is issued, and shall not be valid for the teaching of any other subjects.

Amend by renumbering sections to agree with new section five (5) which was inserted after section four (4) of the engrossed bill.

Amend section eleven (11) by inserting in line one (1) after the word "certificate" the words, "or a special certificate."

Amend section eighteen (18) by inserting before the first word of the second line the words, "special certificate."

On the question, Shall the Senate concur in the House amendments?

The yeas were:

Bleakly, Brooks, Bruce, Crossley, Dunham, Eckles, Ericson, Gale, Garst, Harper, Hartshorn, Hasselquist, Hayward, Hughes, Jamison, Kimmel, Newberry, Saunders, Stirton, Stuckslager, Turner, Warren, Wilson of Clinton, Winne, Young of Calhoun, Young of Washington—26.

The nays were:

None.

Absent or not voting:

Courtright, Crawford, Dowell, Elerick, Gillilland, Hogue Hopkins, Jackson, Jones, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Spaulding, Stookey, Taylor, Wade. Whipple, Smith of Des Moines, Smith of Mitchell, Wilson of Fayette, Young of Lee—24.

So the House amendments were concurred in.

Substitute for Senate file No. 100, a bill for an act to amend section twenty-seven hundred eight (2708) of the code so as to raise the maximum age of commitment of females to the Industrial School to eighteen years, was taken up and considered.

The House substitute was read first and second time.

Senator Saunders moved that the Senate concur in the House substitute.

On the question, Shall the Senate concur in the House substitute?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hughes, Jones, Kimmel, Lambert, Lewis, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Turner, Warren, Wilson of Clinton, Young of Calhoun, Young of Washington—33.

The nays were:

None.

Absent or not voting:

Elerick, Hogue, Hopkins, Jackson, Jamison, Kinne, Lyons, Maytag, Smith of Mitchell, Stookey, Stuckslager, Taylor, Wade, Whipple, Wilson of Fayette, Winne, Young of Lee—17.

So the House substitute was concurred in.

Senate file No. 181 a bill for an act for the appointment of state agents for the Industrial School and the Soldiers' Orphans' Home, defining their duties and making an appropriation for their salaries and expenses and to repeal chapter one hundred fifty-seven (157) of the acts of the Thirtieth General Assembly and other acts in conflict with this act, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

The president announced the Senate as in Committee of the Whole.

The President announced the Senate in regular session.

By unanimous consent further consideration of the bill was postponed.

House file No. 196 a bill for an act in relation to penalty on unpaid taxes in cities acting under special charter, with report of committee recommending passage was taken up, considered and the report of the committee adopted.

Senator Young of Lee moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Dowell, Eckles, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hayward, Hopkins, Hughes, Jamison, Jones, Kimmel, Kinne, Lewis, Newberry, Saunders, Smith of Mitchell, Spaulding, Warren, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—29.

The nays were:

None.

Absent or not voting:

Brooks, Crawford, Crossley, Dunham, Elerick, Hasselquist, Hogue, Jackson, Lambert, Lyons, Maytag, Molsberry. Smith of Des Moines, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Whipple, Winne—21.

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

House file No. 286 a bill for an act to amend sections nine hundred twenty-two (922), nine hundred twenty-three (923) and nine hundred twenty-four (924) of the code relating to the platting of land by the county auditor, with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

Senator Jones moved the adoption of the following amendments recommended by the committee:

Strike out in section one (1) the following words: "The law as it appears in."

Strike out in the third line of section two (2) the following words and figures: "Section 923. Platting for assessment and taxation."

Strike out in section three (3) the words, "the law as it appears in,"

Adopted.

Senator Jones moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dunham, Eckles, Ericson, Gillilland, Harper, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stuckslager, Turner, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Dowell, Elerick, Gale, Garst, Hartshorn, Hogue, Maytag, Smith of Mitchell, Stirton, Stookey, Taylor, Wade, Whipple—13.

So the bill having received a constitutional majority was declared to have passed the Senate and its title 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 herewith returns House file No. 244, a bill for an act to amend sections twenty-three hundred fifty-nine (2359), five hundred fifty-five (555), twenty-seven hundred fifty-five (2755), twenty-eight hundred twenty-eight (2828), twenty-eight hundred forty-one (2841), eighteen hundred sixty-four (1864), two thousand ninety-three (2093), two hundred thirty-two (232), thirty-three hundred seven (3307), thirty-four hundred three (3403), four thousand twenty-four (4024), three hundred ninety-nine (399), four hundred (400), four hundred forty-six (446), nineteen hundred forty (1940), nineteen hundred forty-four (1944), nineteen hundred eighty-one (1981), twenty-three hundred seventy-two (2372) twenty-three hundred seventy-four (2374), six hundred (600), six hundred eight (608), six hundred eleven (611), six hundred fifteen (615), six hundred thirty-three (633), nine hundred twenty-six

26), two thousand three (2003), fifty-six hundred twenty-six (5626), of the code, to amend the law as it appears in section six hundred two (602), of the supplement to the code and to amend section three (3) of chapter one hundred fourteen (114), section eight (8) of chapter sixty-eight (68), and section three (3) of chapter forty-three (43), acts of the Thirtieth General Assembly; relating to legal publications.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 386, a bill for an act to amend section seven hundred (700) of the supplement to the code, relative to power of corporate bodies to license.

C. R. BENEDICT,
Chief Clerk.

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 if asked:

House file No. 177, a bill for an act to repeal chapter one hundred eighty-five (185) of the acts of the Thirtieth General Assembly and enact a substitute therefor, relating to the survey, appraisement and sale of abandoned channels of the navigable streams of the State, and islands or bars situated in said navigable streams and authorizing the appointment of a commission to ascertain and establish the boundary lines between the State of Iowa and adjoining states.

C. R. BENEDICT,
Chief Clerk.

Senate file No. 269, a bill for an act to define and regulate private banks with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Lewis moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question Shall the bill pass?

The yeas were:

Hughes, Lewis, Newberry, Stirton, Wilson of Fayette, Young of Washington—6.

The nays were:

Bleakly, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Ericson, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hopkins, Jackson, Jamison, Jones, Kimmel, Kinne, Lyons, Molsberry, Smith of Des Moines, Spaulding, Stuckslager, Turner, Warren, Whipple, Wilson of Clinton, Young of Lee, Young of Calhoun—31.

Absent or not voting:

Brooks, Elerick, Garst, Hayward, Hogue, Lambert, Maytag Saunders, Smith of Mitchell, Stookey, Taylor, Wade, Winne—13.

So the bill having failed to receive a constitutional majority was declared lost.

The Senate resumed consideration of Senate file No. 181.

Senator Turner moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Ericson, Garst, Gillilland, Harper, Hasselquist, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kinne, Lewis, Newberry, Smith of Mitchell, Spaulding, Stuckslager, Turner Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—33.

The nays were:

None.

Absent or not voting:

Brooks, Elerick, Gale, Hartshorn, Hayward, Kimmel, Lambert, Lyons, Maytag, Molsberry, Saunders, Stirton, Stookey, Taylor, Wade, Winne, Smith of Des Moines—17.

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

Senate joint resolution. No. 4, a joint resolution setting aside room number twenty-seven (27) in the State Capitol Building for the use of newspaper publishers, reporters and correspondents, with report of committee recommending passage was taken up, considered and the report of the committee, adopted.

Senator Dowell moved to amend the joint resolution by striking out all after the word "correspondents" in line fourteen (14) of the printed bill.

Adopted.

Senator Dowell moved that the rule be suspended. and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Crossley, Dowell, Eckles, Ericson, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Molsberry, Newberry Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Calhoun, Young of Washington—36.

The nays were:

Dunham, Turner—2.

Absent or not voting:

Bruce, Elerick, Gale, Garst, Lyons, Maytag, Spaulding, Stookey, Taylor, Wade, Winne, Young of Lee—12.

So the joint resolution having received a constitutional majority was declared to have passed the Senate and its title agreed to.

REPORTS OF COMMITTEE.

Senator Eckles from the committee on Claims submitted the following report:

MR. PRESIDENT—Your committee on Claims, to whom was referred Senate file No. 289, a bill for an act for the relief of E. Howard Smith and to reimburse him for money and labor advanced and expended by him as Commissioner of Iowa for Dubuque county at the World's Fair or Cotton Exposition at New Orleans in 1884-1885, 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 the same be indefinitely postponed.

CHAS. ECKLES,
Chairman.

Adopted.

So the bill was indefinitely postponed

Also:

MR. PRESIDENT—Your committee on claims to whom was referred House file No. 146, a bill for an act appropriating the sum of eight hundred sixty-two and thirty-eight one hundredth dollars ($862.38) to be paid to H W. Tapley and Philip Morgan in settlement of all claims against the State of Iowa by reason of the loss of valuable coins abstracted from the Historical Building by an employee 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 do pass and that the same be referred to the committee on Appropriations.

CHAS. ECKLES,
Chairman.

Adopted and the bill referred to the Appropriations Committee.

Also:

MR. PRESIDENT—Your committee on Claims to whom was referred House file No. 206, a bill for an act to indemnify L. H. Fenton for personal injury sustained by him while employed at the State Hospital for the Insane at Mt. Pleasant, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass, and that the same be referred to the committee on Appropriations.

CHAS. ECKLES,
Chairman.

Adopted and the bill referred to the Appropriations Committee

Senator Bleakly moved that the Senate do now adjonrn.

Carried.

Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Thursday March 29, 1906.

Senate met in regular session at 9 o'clock A. M., President Herriot presiding.

Prayer was offered by the Rev. G. H. Cotton of Osceola, Iowa.

On request of President Herriott leave of absence was granted Senator Lambert indefinitely.

INTRODUCTION OF BILLS.

By Senator Hayward from committee on Ways and Means. Senate file No. 336, a bill for an act to amend section thirteen hundred twenty-two (1322) of the code, relating to the taxation of national, state and savings banks and the shares of stock therein.

Read first and second time and placed on calendar.

HOUSE MESSAGES CONSIDERED.

House concurred in Senate amendments to House file No. 301, a bill for an act to amend section thirty-four hundred ninety-four (3494) of chapter four (4), title eighteen (18) of the code as the same appears in the supplement to the code, relating to the place of bringing actions.

Ordered passed on file.

House concurred in Senate amendment to House file No. 52, a bill for an act to repeal section one hundred thirty-seven (137) of the code, relative to the publication and distribution of the proceedings of the Iowa State Teacher's Association and to enact a substitute therefor.

Ordered passed on file.

House concurred in Senate amendments to House file No. 257, a bill for an act to amend section seventeen hundred nine (1709) of the code and of the supplement to the code, relating to insurance.

Ordered passed on file.

House returns House file No. 244, a bill for an act to amend sections twenty-three hundred fifty-nine (2359), five hundred fifty-five (555), twenty-seven hundred fifty-five (2755), twenty-eight hundred twenty-eight (2828), twenty-eight hundred forty-one (2841), eighteen hundred sixty-four (1864), two thousand ninety-three (2093), two hundred thirty-two (232), thirty-three hundred seven (3307), thirty-four hundred three (3403), four thousand twenty-four (4024), three hundred ninety-nine (399), four hundred (400), four hundred forty-six (446), nineteen hundred forty (1940), nineteen hundred forty-four (1944), nineteen hundred eighty-one (1981), twenty-three hundred seventy-two (2372), twenty-three hundred seventy-four (2374), six hundred (600), six hundred eight (608), six hundred eleven (611), six hundred fifteen (615), six hundred thirty-three (633), nine hundred twenty-six (926), two thousand three (2003), fifty-six hundred twenty-six (5626), of the code, to amend the law as it appears in section six hundred two (602), of the supplement to the code and to amend section three (3) of chapter one hundred fourteen (114), section eight (8) of chapter sixty-eight (68), and section three (3) of chapter forty-three (43), acts of the Thirtieth General Assembly; relating to legal publications.

Referred to committee on Printing.

House returns House file No. 336, a bill for an act to authorize the executive council to convey to Jones county, Iowa, a roadway through the east half of the southwest quarter of section thirty-three (33), township eighty-five (85), north of range four (4), west of the fifth principal meridian.

Ordered passed on file.

House file No. 386, a bill for an act to amend section seven hundred (700) of the supplement to the code, relative to power of corporate bodies to license.

Read first and second time and referred to committee on Cities and Towns.

House file No. 177, a bill for an act to repeal chapter one hundred eighty-five (185) of the acts of the Thirtieth General Assembly and enact a substitute therefor, relating to the survey, appraisement and sale of abandoned channels of the navigable streams, of the state, and island or bars situated in said navigable streams and authorizing the appointment of a commission to ascertain and establish the boundary lines between the state of Iowa and adjoining states.

Read first and second time and placed on calendar.

REPORTS OF COMMITTEES.

Senator Hayward, 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. 204, a bill for an act providing for the listing and taxing of mortgages and other liens upon real estate, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. C. HAYWARD,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Ways and Means to whom was referred Senate File No. 105, a bill for an act to amend section sixteen hundred thirty-seven (1637) of the code, relating to corporations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

W. C. HAYWARD,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Warren, from the committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your committee on Mines and Mining to whom was referred House file No, 36, a bill for an act providing operators of Mines shall furnish shot examiners and firers in mines where shots and blasting is done, 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 the same do not pass.

J. L. WARREN,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—We the undersigned members of your committee on Mines and Mining to whom was referred House file No. 36, beg leave to report that they have had the same under consideration, and being in the minority respectfully reserve our rights to dissent from the view expressed by the report of said committee recommending the indefinite postponement of said bill; and, therefore, recommend that the same do pass.

J. L. WARREN,
R. A. HASSELQUIST,
F. MAYTAG,
C. J. A. ERICSON.

Ordered passed on file.

Senator Jackson, 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. 225, a bill for an act to amend section twenty-six hundred four (2604) of the code, in relation to salary of Commandant of the Iowa Soldiers Home, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JOHN H. JACKSON,
Chairman.

Ordered passed on file.

Senator Hopkins, from the committee on Telegraph and Telephones, submitted the following report:

MR. PRESIDENT—Your committee on Telegraph and Telephones, to whom was referred Senate file No. 209, a bill for an act extending all existing franchises of Telephone, Telegraph and District Telegraph Companies so that they will expire at the same 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 the same do pass.

F. M. HOPKINS,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

House file No. 299, a bill for an act to amend section fifteen hundred sixty-six-a (1566-a), of the supplement to the code, relating to publication of itemized accounts of township officers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hasselquist moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Dunham, Eckles, Elerick, Ericson, Gillilland, Harper, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Kimmel, Kinne, Lewis, Lyons, Molsberry, Newberry, Smith of Des Moines, Spaulding, Stirton, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—34.

The nays were:

None.

Absent or not voting:

Bruce, Crawford, Crossley, Dowell, Gale, Garst, Hartshorn, Jones, Lambert, Maytag, Saunders, Smith of Mitchell, Stookey, Taylor, Wade, Winne—16.

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

Senate file No. 332, a bill for an act to authorize the Executive Council to employ artists, have additional decorative pictures painted upon the walls of the Capitol, appropriating the sum of five thousand dollars ($5,000) therefor, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass.

The yeas were:

Bleakley, Brooks, Courtright, Crossley, Dunham, Eckles, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Kimmel, Lewis, Lyons, [Mols-

berry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Calhoun, Young of Washington—34.

The nays were:

Hogue, Jackson, Kinne—3.

Absent or not voting:

Bruce, Crawford, Dowell, Elerick, Gale, Jones, Lambert, Maytag, Smith of Mitchell, Stookey, Taylor, Wade, Young of Lee—13.

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

Senate file No. 329, a bill for an act to provide for the payment of certain expenses of indigent patients paroled or discharged from the State Hospital for Inebriates at Knoxville, and the Hospital for Female Inebriates, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The President announced the Senate as in Committee of the Whole.

President pro tem Smith was called to the chair at 9:30 o'clock A. M.

The President pro tem announced the Senate as in regular session.

Senator Brooks moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lewis, Lyons, Maytag, Molsberry, Newberry Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—41.

The nays were:

None.

Absent or not voting:

Bruce, Gale, Hayward, Hogue, Lambert, Stookey, Stuckslager, Taylor, Wade—9.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to-

Senate file No. 205, a bill for an act to appropriate the sum of seventy-five dollars ($75) to pay Henry Eyler for money advanced by him to the state of Iowa as rent for certain lake beds situated in Wright county, Iowa, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

The President resumed the chair at 9:40 o'clock A. M.

The President announced the Senate as in the Committee of the Whole.

The President announced the Senate as in regular session.

Senator Hartshorn moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Crossley, Dowell' Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—42.

The nays were:

None.

Absent or not voting:

Bruce, Harper, Hogue, Stookey, Lambert. Stuckslager, Taylor, Wade—8.

So the bill having received a constitutional majority was declared to have passed the Senate and its title 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 bill in which the concurrence of the Senate is asked:

House file No. 407, a bill for an act to legalize the election of the mayors, members of the city council and other city officials of the city of Iowa Falls, Hardin county, Iowa, and all the acts done during the ten years last past.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file 175, in which the concurrence of the House was asked:

A bill for an act to amend section three thousand forty-seven (3047) of the code relating to the assignment of wages.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 13, a bill for an act to create a Legislative Commission to examine the subject of all insurance and the practice of the insurance companies doing business in this state and make recommendations concerning the insurance laws and providing a uniform policy for life and fire insurance and report their finding and recommendation to the next General Assembly and for other purposes.

C. R. BENEDICT,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Smith of Mitchell for the committee on Railroads: Senate file No. 337, a bill for an act amending section twenty-one hundred twenty-six (2126) of the code relative to railway rates.

Read first and second time and placed on the calendar.

REPORTS OF COMMITTEE.

Senator Dowell, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 338, a bill for an act to secure in matters of religion a free exercise of religious preference and practice to all inmates of state, county and city institutions maintained for the detention of persons held by com-

mittal or confinement in any state, county or city institution whether penal, correctional, charitable, or educational, or in any place of confinement maintained and supported by public funds, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 253, a bill for an act to prohibit unfair commercial discrimination between different sections, communities or localities, or unfair competition, and providing penalties therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend section one (1) by striking out in the third and fourth lines the following words: "any commodity in general use" and insert in lieu thereof the words "petroleum or any of its products."

Amend section seven (7) by striking out the word "oust" in the fifth line thereof and inserting in lieu thereof the word "enjoin." And by adding the word "transacting" after the word "from" in the sixth line of said section, and when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 185, a bill for an act to prohibit unfair discrimination between different sections, communities and localities, unfair competition, and providing penalties therefor, 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 the same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 378, a bill for an act to repeal section thirty-four hundred fifty-five (3455) of the code, relating to failure of actions by reason of the running of the statute of limitation, 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 same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 270 a bill for an act authorizing the employment of special council to assist the Attorney General in certain litigation and making appropriation therefor beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 278, a bill for an act to amend the law as it appears in section eleven hundred six (1106) of the supplement to the code, in relation 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 the same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

Senate file No. 277, a bill for an act to appropriate the sum of one hundred dollars ($100) to pay E. S. Frank for money advanced by him to the state of Iowa as rent for certain lake beds situated in Wright and Hancock counties, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

Senator Hartshorn moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones Kimmel, Kinne, Lewis, Lyons, Newberry, Saun-

ders, Smith of Des Moines, Spaulding, Stirton, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Gillilland, Hogue, Lambert, Maytag, Molsberry, Stookey, Stuckslager, Taylor, Turner, Wade, Smith of Mitchell—11.

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

Senate file No. 198, a bill for an act appropriating the sum of $278.21 (two hundred seventy-eight dollars, twenty-one cents) to be paid to Crawford county in settlement of claims against the state of Iowa by reason of expense incurred in the transporting of Russell Gifford and William Buttorworth, insane persons out of the state, with report of committee recommending passage was taken up, considered, and report of the committee adopted.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed, and read a third time, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hughes, Jackson, Jones, Kimmel, Kinne, Lewis, Lyons, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Turner, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Washington—38.

The nays were:

None.

Absent or not voting:

Hopkins, Jamison, Lambert, Maytag, Molsberry, Stookey Stuckslager, Taylor, Wade, Warren, Smith, of Mitchell, Young of Calhoun—12.

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

Senate file No. 323, a bill for an act providing for the nomination, by political parties or organizations, of candidates for various offices and election of delegates to conventions of said political parties or organizations, by a primary election and for the holding of conventions for the nomination of candidates for certain offices by such political parties or organizations with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

Senator Crossley moved the adoption of the following amendments recommended by the committee:

That section one (1) be amended by placing a comma after the word "township" in line two (2) and by striking out the word "district" in line two (2), and inserting in lieu thereof the word "legislaiive".

That section two (2) be amended by striking out all of said section after the word "organization" and inserting in lieu thereof the words "which maintains a county, district or state organization".

That section five (5) be amended by changing the second figure "seven" in the fourth line to the figure "eight" and by changing the figure "nine" in the fifth line of the printed bill to the figure "eight."

That section six (6) be amended by striking out the word and figure "seven (7)" in the tenth line and inserting in lieu thereof the word and figure "eight (8)".

That section seven (7) be amended by inserting after the word "persons" in the fifth line the words "who are qualified to and do vote, space for the registration of all persons"; and by striking out the word "party" in the twenty-third line and inserting in lieu thereof the word "voter", and inserting in line fifteen after the word "deposit", the word "it".

That section eight (8) be amended by striking out the word and figure "six (6)' in the fifteenth line, and inserting in lieu thereof the word and figure "seven (7). '

That section ten (10) be amended by inserting after the word "given" in the first line the word "to," and by striking out the words "representative, senatorial, judicial or congressional" in lines five (5) and six (6) and inserting in lieu thereof the word "legislative."

That section eleven (11) be amended by inserting after the word "said" in tne second line the word "legislative;" by striking out the word "opened" in the eleventh line and inserting in lieu thereof the word "open," and by striking out the word "said" in the nineteenth line and inserting in lieu thereof the words "the last preceding," and by inserting after the word "election" and before the period in the nineteenth line, the words "and one of such newspapers shall represent the political party which cast the next largest vote in such county at said general election."

That section twelve (12) be amended by striking out the word "congressional" in the sixth line thereof; that line ten (10), eleven (11), twelve (12), thirteen (13), fourteen (14), fifteen (15) and sixteen (16) of said section be striken out.

That section sixteen (16) be amended by striking out the words "various district" in lines eighteen (18) and nineteen (19) and inserting in lieu thereof the word "legislative," and by inserting before the word "districts" in line twenty-one (21) the word "legislative"; and by striking out all of section sixteen (16) following the word "districts," in line twenty-one (21).

That section nineteen (19) be amended by striking out the word "chairman" in the eighth line, and inserting in lieu thereof the word "chairmen"; by striking out the word "several" in the tenth line and inserting in lieu thereof the word "legislative"; by inserting after the word "conventions" in the eleventh line the words "comprising more than one county"; by striking out the word "various" in the twelfth line, and inserting in lieu thereof the word "legislative"; by inserting after the word "different" in the nineteenth line the word "legislative"; by inserting after the words "selected to" in the twenty-first line the words "the distinct conventions other than legislative and to"; by inserting after the word "said" in line twenty-two (22) the words "district and" by inserting after the words "various state" in line twenty-two (22) the words "and district"; by inserting after the word "offices" in line twenty-two (22) the words "other than legislative"; by inserting after the word "state" in line twenty-three (23) the words "and district"; and by inserting after the words "various state" in line twenty-five (25) the words "and districts," and when so amended it do pass.

Adopted.

Senator Newberry offered the following amendment and moved its adoption:

Amend the bill by adding as section twenty-five (25) the following:

Section 25. At the regular September meeting of the board of supervisors of any county in this state prior to a general election, on petition of five hundred of the qualified electors of said county, not more than one-half of whom shall reside in the same precinct, said board of supervisors shall order submitted to the voters of said county at the ensuing general election the question whether the provisions of this act shall apply to said county. The form of ballot which may be printed on the general official ballot shall be:

☐ FOR THE PRIMARY ELECTION LAW.

☐ AGAINST THE PRIMARY ELECTION LAW.

And if a majority of all the votes cast for and against said proposition shall be for the primary election law, then and not otherwise shall the provisions of this act be in full force in said county in thirty days after said election if it shall have been decided by a majority in favor of said proposition.

Adopted.

Senator Dowell offered the following amendment and moved its adoption:

I move to amend section one (1) by adding after the word "offices" in the second line the words "in counties having a population of less than seventy-five thousand."

Adopted.

Senator Dunham offered the following amendment and moved its adoption:

Amend section twelve (12) by adding thereto the following:

"Whenever by a majority vote of the delegates at any regular county convention of any party regularly convened under this law for choice of delegates to district and state conventions in any county wherein this law is operative it shall be declared the desire of such convention that an expression of the preference of the voters of the party participating in the primary election shall be taken as to candidates for any state office or United States Senator, the proper officers shall until otherwise directed by such subsequent convention of such party, make proper provision upon the ticket to be voted by voters of such party at subsequent primary elections for the expression of the preference of the individual voter for such candidates for the designated offices, and returns of the expression of preference shall be made by the judges of election to the county auditor as for the vote upon delegates at such election."

On the question, Shall the amendment be adopted?

A roll call was demanded.

The yeas were:

Bleakly, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Ericson, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Kimmel, Kinne, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Turner, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—35.

The nays were:

Brooks, Garst, Hogue, Jamison, Jones—5.

Absent or not voting:

Elerick, Gale, Lambert, Molsberry, Spaulding, Stookey, Taylor, Wade, Warren, Winne—10.

So the amendment was adopted.

Senator Turner moved that the bill be re-referred to the committee on Elections.

On the question, Shall the bill be re-referred?

A roll call was demanded.

The yeas were:

Brooks, Bruce, Eckles, Garst, Hopkins, Jones, Lyons, Maytag, Smith of Des Moines, Smith of Mitchell, Stirton, Turner, Winne —13.

The nays were:

Bleakly, Courtright, Crawford, Crossley, Dowell, Dunham Elerick, Ericson, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hughes, Jackson, Jamison, Kinne, Molsberry, Newberry, Saunders, Stuckslager, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun—29.

Absent or not voting:

Kimmel, Lambert, Lewis, Spaulding, Stookey, Taylor, Wade, Young of Washington—8.

So the motion was lost.

Senator Jamison offered the following amendment and moved its adoption.

Amend section nine (9) by striking out all of said section after the word "withdraw" in line nine (9) thereof and inserting the following "he shall not be entitled to vote at such primary election."

On the question, Shall the amendment be adopted?

A roll call was demanded.

The yeas were:

Bleakly, Brooks, Bruce, Eckles, Elerick, Hogue, Hopkins, Jackson, Jamison, Jones, Molsberry—11.

The nays were:

Courtright, Crawford, Crossley, Dowell, Dunham, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hughes, Kimmel, Kinne, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—33.

Absent or not voting:

Gale, Lambert, Spaulding, Stookey, Taylor, Wade—6.

So the amendment was lost.

Senator Crossley offered the following amendment and moved its adoption:

Amend section nineteen (19) by inserting after the word "them" in line twenty (20) the words:

"In case the provisions of this law are not in force and effect in any one or more counties in a legislative district as herein provided, then and in that event the delegates from all the counties of said legislative district shall, in said legislative district conventions, nominate by a majority vote of said delegates."

Adopted.

Senator Lewis offered the following amendment and moved its adoption:

Amend section sixteen (16), line six (6) by striking out the word "majority" and inserting in lieu thereof the word "plurality."

Senator Jones moved that the amendment be laid upon the table.

On the question, Shall the motion prevail?

A roll call was demanded.

The yeas were:

Brooks, Bruce, Eckles, Garst, Hopkins, Jones, Kimmel, Lyons, Smith of Des Moines, Smith of Mitchell, Wilson of Fayette, Young of Lee—12.

The nays were:

Bleakly, Courtright, Crawford, Crossley, Dowell, Dunham, Elerick, Ericson, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hughes, Jackson, Jamison, Kinne,

Lewis, Maytag, Molsberry, Newberry, Saunders, Stirton, Stuckslager, Warren, Whipple, Wilson of Clinton, Winne, Young of Calhoun, Young of Washington—32.

Absent or not voting:

Lambert, Spaulding, Stookey, Taylor, Turner, Wade—6.

So the motion to lay upon the table was lost.

Senator Turner moved the previous question on the amendment.

Carried.

On the question, Shall the amendment be adopted?

A roll call was demanded.

The yeas were:

Eckles, Ericson, Garst, Hopkins, Hughes, Kimmel, Lewis, Maytag, Smith of Mitchell, Stirton, Turner, Wilson of Fayette, Winne, Young of Washington—14.

The nays were:

Bleakly, Brooks, Courtright, Crawford, Crossley. Dowell, Dunham, Elerick, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Jackson, Jamison, Jones, Kinne, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Stuckslager, Whipple, Wilson of Clinton, Young of Calhoun—28.

Absent or not voting:

Bruce, Lambert, Spaulding, Stookey, Taylor, Wade, Warren, Young of Lee—8.

So the amendment was lost.

The President announced that he had signed in the presence of the Senate, Senate files Nos. 165, 281, 141, 309, 300, 203, 286, 301, 303, 304 and 193.

Senator Wilson of Fayette moved that when the Senate adjourn it be until 2 o'clock P. M.

Carried.

The Journal of yesterday was taken up, corrected and approved.

REPORTS OF COMMITTEES.

Senator Hasselquist from the committee on Highways submitted the following report:

MR. PRESIDENT—Your committee on Highways, to whom was referred House file No. 366, a bill for an act relative to the transfer of funds raised by townships for the purpose of building public halls, additional to chapter ten (10), title four (4) of the code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

R. A. HASSELQUIST,
Chairman.

Also:

MR. PRESIDENT—Your committee on Highways, to whom was referred House file No. 379, a bill for an act to amend the law as it appears in sections fifteen hundred thirty-three (1533) and fifteen hundred forty-a (1540-a of the supplement to the code, relating to working roads, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

R. A. HASSELQUIST,
Chairman.

Senator Dunham from the committee on Suppression of Intemperance:

MR. PRESIDENT—Your committee on the Suppression of Intemperance to whom was referred House file No. 389, beg leave to report that they have had the same under consideration; that the membership of the committee are in sympathy with the spirit which has found expression in the bill and others introduced in this body to reach the same end; but we have grave doubts as to the constitutionality of such legislation, and question if same will not be held in proper interference with inter-state commerce, and therefor return said bill without recommendation.

GEO. W. DUNHAM,
Chairman.
J. L. WARREN,
JOHN A. YOUNG.
JOHN L. BLEAKLY.
THOS. LAMBERT.
W. P. WHIPPLE.
JAS. E. BRUCE.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Turner from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled Senate file 165 a bill for an act to amend section one hundred thirty-eight (138) of the code, in relation to printing the docket for the Supreme Court.

Also:

Senate file 281, a bill for an act to legalize the acts and resolutions passed by the board of supervisors of Calhoun county, Iowa, allowing certain persons appointed to collect delinquent tax, a commission in addition to the five per cent provided by statute.

Also:

Senate file 141, a bill for an act to regulate the sale of gasoline an providing penalty for violation thereof.

Also:

Senate file 309, a bill for an act to amend section twenty-six hundred twenty-five (2625) of the code relative to superintendent of public instruction and his reports.

Also:

Senate file 300, a bill for an act to amend section one thousand seventy-six (1076) of the code, relative to the registration of voters.

Also:

Senate file 203, a bill for an act relating to the collection of poll tax and amending section fifteen hundred fifty (1550) of the code.

Also:

Senate file 286, a bill for an act to legalize the incorporation of the town of Osterdock in Clayton county, Iowa, and to legalize the election of its officers and all acts done and ordinances passed by the council of said town.

Also:

Senate file 301, a bill for an act to amend section twenty-six hundred forty-one (2641) of the code, relative to the reports of the State University.

Also:

Senate file 302, a bill for an act to amend section twenty-six hundred eight (2608) of the code relative to the Normal School and to the biennial reports to the Governor.

Also:

Senate file 304, a bill for an act to amend section twenty-seven hundred seventeen (2717) of the code relative to the College for the Blind and reports to the Governor.

Also:

Senate file 193, a bill for an act making appropriation for the erection of a monument in Sheron Cemetery, Lee county, Iowa, over the grave of George Perkins, a soldier of the Revolutionary War.

D. W. TURNER.
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turner, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file 165, a bill for an act to amend section one hundred thirty-eight (138) of the code, in relation to printing the docket for the Supreme Court.

Also:

Senate file 281, a bill for an act to legalize the acts and resolutions passed by the board of supervisors of Calhoun county, Iowa, allowing certain persons appointed to collect delinquent tax, a commission in addition to the five per cent provided by statute.

Also:

Senate file 141, a bill for an act to regulate the sale of gasoline and providing penalty for violation thereof.

Also:

Senate file 309, a bill for an act to amend section twenty-six hundred twenty-five (2625) of the code relative to Superintendent of Public Instruction and his reports.

Also:

Senate file 300, a bill for an act to amend section one thousand seventy-six (1076) of the code, relative to the registration of voters.

Also:

Senate file 203, a bill for an act relating to the collection of poll tax and amending section fifteen hundred fifty (1550) of the code.

Also:

Senate file 286, a bill for an act to legalize the incorporation of the town of Osterdock in Clayton county, Iowa, and to legalize the election of its officers and all acts done and ordinances passed by the council of said town.

Also:

Senate file 301, a bill for an act to amend section twenty-six hundred forty-one (2641) of the code, relative to the reports of the State University.

Also:

Senate file 303, a bill for an act to amend section twenty-six hundred eight (2608) of the code, relative to the Norman school and to the biennial reports to the Governor.

Also:

Senate file 304, a bill for an act to amend section twenty-seven hundred seventeen (2717) of the code, relative to the College for the Blind and reports to the Governor.

Also:

Senate file 193, a bill for an act making appropriation for the erection of a monument in Sheron Cemetery, Lee county, Iowa, over the grave of George Perkins, a soldier of the Revolutionary war.

D. W. TURNER,
Chairman Senate Committee.
H. S. SPAULDING,
Chairman House Committee.

Ordered passed on file.

By unanimous consent Senate file No. 317 was referred to the Ways and Means committee.

President pro tem Smith was called to the chair at 11:50 o'clock A. M.

Senator Courtright moved that the Senate do now adjourn.

Carried.

Senate stood adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M., President Herriott presiding.

Senate resumed consideration of Senate file No. 323, which was under consideration this morning.

Senator Crossley offered the following amendment and moved its adoption:

Amend section seven (7) by striking out the figures "1906" in line four (4).

Adopted.

Senator Crossley offered the following amendment and moved its adoption:

Amend the bill by striking out section twenty-four (24) and renumbering section twenty-five (25) to make it twenty-four (24).

Adopted.

Senator Young of Calhoun moved the previous question upon the bill.

The motion prevailed.

Senator Crossley moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Courtright, Crawford, Crossley, Dowell, Dunham, Elerick, Ericson, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hogue, Jackson, Jamison, Kinne, Molsberry, Newberry, Saunders, Stuckslager, Whipple, Winne, Young of Calhoun—24.

The nays were:

Brooks, Bruce, Eckles, Garst, Hopkins, Hughes, Jones, Kimmel, Lyons, Smith of Des Moines, Smith of Mitchell, Stirton, Turner, Wilson of Fayette, Young of Lee, Young of Washington—16.

Absent or not voting:

Hayward, Lambert, Lewis, Maytag, Spaulding, Stookey, Taylor, Wade, Warren, Wilson of Clinton—10.

So the bill having failed to receive a constitutional majority was declared lost.

REPORTS OF COMMITTEES.

Senator Dowell, from the committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 141 a bill for an act to amend title sixteen (XVI) chapter two (II) of the code and chapter one hundred nineteen (119) of the acts of the Thirtieth General Assembly, relating to the conveyance of real property where either spouse is insane, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend section three thousand one hundred sixty-nine-a (3169-a) by striking out the second paragraph thereof and inserting in lieu the following:

Such fund shall be kept invested until the death of the insane person if such death shall occur before that of the other spouse, and then shall be paid over, under the order of the court, to such supervising spouse. If the disability of such insane person shall be removed before the death of the other spouse, the said fund shall still remain under the control of the court, unless the husband and wife shall in writing agree, upon the disposition of said fund, in which event the fund shall be distributed or paid under the terms of such writing. In case, however, the spouse remaining sane shall fail to support the one adjudged insane and any part of such fund shall at any time after its deposit become necessary for the support of such insane person, the said fund may under order of court be used for such support at such time and in such amount as may be designated, provided, however,

that no part of said fund shall be subject to confiscation by any county or the State, on account of support that may have been furnished or provided by said county or the State of Iowa.

And when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred House file No. 19, a bill for an act to regulate the use and sale of fire crackers, toy pistols and other explosives, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

That the bill be amended by striking out section one (1) and inserting in lieu thereof the following:

"Section 1. No person shall use, sell, or keep for sale within this State, any fire crackers containing any explosives other than black gunpowder."

That section three (3) be stricken out and the following enacted in lieu thereof:

"Section 3. This act shall not take effect and be in force until after January 1, 1907," and when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate fie No. 229, a bill for an act to amend section forty-four hundred eighty-five (4485) of the code providing for cost bonds in justice 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 same be amended as follows:

That sectien one (1) be amended by striking out the word "county" in the fifth line thereof and inserting in lieu thereof the word "state." Also by striking out the words "the sum of ten dollars ($10.00)" in the last line of said section and inserting in lieu thereof the following: "an amount to be fixed by the justice," and when so amended the bill do pass.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 109 a bill for an act to amend title seventeen (17) chapter four (4) of the code relative to the descent of real property, requiring certain things in final reports, of administrators, executors, guardians, and trustees, and in decrees approving same, and providing for the recording of the decrees in any county wherein the realty is situated, beg leave to report that 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.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 116, a bill for an act to legalize the resolutions passed by the city council of the city of Eagle Grove, Iowa, relating to the construction of sewers in its streets, and legalizing the contract, ordinances, resolutions and the special assessments levied 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 same be indefiniteiy postponed,

C. C. DOWELL,
Chairman.

Ordered passed on file.

MR. PRESIDENT—Your committee on Judiciary to whom was referred Senate file No. 123 a bill for an act to amend section forty-one hundred fourteen (4114) of the code, relating to appeals in 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 same be indefinitely postponed.

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 385, a bill for an act to prohibit and regulate hospitals, hospital wards, institutions, and places, created for or maintained and used as lying-in or maternity hospitals, or hospital wards or places for the reception, care and treatment of women in labor, beg leave to report that they have had the same under consideration and have instructed me to report the same backto the Senate with the recommendation that the same do pass

C. C. DOWELL,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT--Your committee on Judiciary to whom was referred Senate file No. 63 a bill for an act to prohibit and regulate hospitals, hospital wards, institutions and places, created for or maintained and used as lying-in or maternity hospitals, or hospital wards or places for the reception, care and treatment of women in 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 with the recommendation that the same be indefinitely postponed.

C. C. DOWELL,
Chairman,

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary to whom was referred House file No. 99 a bill for an act to legalize the general taxes of special charter 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 indefinitely postponed.

C. C. DOWELL,
Chairman.

Ordered passed on file.

The President appointed as members of the Senate Sifting Committee in accordance with the resolution offered by Senator Jamison on Friday March 23 and adopted by the Senate on Wednesday March 28th, Senators Jamison, Molsberry, Whipple Warren, Hopkins, Gale, Wade.

THIRD READING OF BILLS.

House file No. 375, a bill for an act to legalize the incorporation of the town of Portsmouth, Shelby county, Ia., the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the council of said town with report of committee, recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Dowell moved that the rule be suspended, and tha the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Ericson, Gillilland, Harper, Hartshorn, Hasselquist, Hogue, Hughes, Jackson, Jamison, Jones, Kinne,

Lewis, Newberry, Saunders, Smith of Des Moines, Stirton, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Young of Washington—31.

The nays were:

None.

Absent or not voting:

Elerick, Gale, Garst, Hayward, Hopkins, Kimmel, Lambert, Lyon, Maytag, Molsberry, Spaulding, Stookey, Taylor, Wade, Winne, Smith of Mitchell, Wilson of Clinton, Young of Lee, Young of Calhoun—19.

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

REPORTS OF COMMITTEES.

Senator Harper, from the committee on Military, submitted the following report:

MR. PRESIDENT—Your committee on Military, to whom was referred House file No. 393, a bill for an act to amend the law as found in section thirteen hundred four (1304) of the supplement to the code relating to exemption of property from taxation, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

S. H. HARPER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Military to whom was referred House file No. 392 a bill for an act to amend the law as found in sections twenty-six hundred one (2601) and twenty-six hundred six (2606) of the code, relative to admission to the State Soldiers' Home, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

S. H. HARPER,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Military to whom was referred House file No. 263, a bill for an act in regard to the admission of wives of soldiers to the Soldiers' Home at Marshalltown, beg leave to report that they have had the same under consideration and have instructed me to report the

same back to the Senate with the recommendation that the same be amended by inserting after the word "may" at the end of line two (2) in section one (1), a comma and the following words "when in need of hospital treatment".

Also amend by striking out the words "without her" in line three (3) of section one (1) and all of line four (4) except the word "when", and when so amended the bill do pass,

S. H. HARPER,
Chairman.

Ordered passed on file.

Senator Jackson, 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. 335 a bill for an act to amend section twenty-seven hundred twenty-seven-c (2727-c) of the code relating to salaries of chief executives of certain 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 same be indefinitely postponed.

JOHN H. JACKSON,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Compensation of Public Officers to whom was referred House file No. 53 a bill for an act to amend section three hundred eight (308) of the code relating to the compensation of county attorney, beg leave to report that 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.

JOHN H. JACKSON,
Chairman.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Compensation of Public Officers, to whom was referred Senate file No. 234, a bill for an act to fix and define the salary of the members of the Board of Control, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JOHN H. JACKSON,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Warren, from the committee on Mines and Mining submitted the following report:

MR. PRESIDENT—Your committee on Mines and Mining to whom was referred House file No. 48 a bill for an act to amend section twenty-four hundred eighty-nine (2489) of the Supplement to the code relating to compensation of Board of Examiners, beg leave to report that 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.

J. L. WARREN,
Chairman,

Adopted.

So the bill was indefinitely postponed.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate file No. 165, a bill for an act to amend section one hundred thirty-eight (138) of the code, in relation to printing the docket for the Supreme Court.

Also:

Senate file 281, a bill for an act to legalize the acts and resolutions passed by the board of supervisors of Calhoun county, Iowa, allowing certain persons appointed to collect delinquent taxes, a commission in addition to the five per cent provided by statute.

Also:

Senate file 141, a bill for an act to regulate the sale of gasoline and providing a penalty for violation thereof.

Also:

Senate file 309, a bill for an act to amend section twenty-six hundred twenty-five (2625) of the code, relative to Superintendent of Public Instruction and his reports.

Also:

Senate file 300, a bill for an act to amend section one thousand seventy-six (1076) of the code relative to the registration of voters.

Also:

Senate file No. 203, a bill for an act relating to the collection of poll tax and amending section fifteen hundred fifty (1550) of the code.

Also:

Senate file 286, a bill for an act to legalize the incorporation of the town of Osterdock in Clayton county, Iowa, and to legalize the election of its officers and all acts done and ordinances passed by the council of said town.

Also:

Senate file 301, a bill for an act to amend section twenty-six hundred forty-one (2641) of the code relative to the reports of the State University.

Also:

Senate file 303, a bill for an act to amend section twenty-six hundred eighty (2680) of the code, relative to the Normal school and to the biennial reports to the Governor.

Also:

Senate file No. 304, a bill for an act to amend section twenty-seven hundred seventeen, (2717) of the code, relative to the College for the Blind, and reports to the Governor.

Also:

Senate file 193, a bill for an act making appropriation for the erection of a monument in Sheron Cemetery, Lee county, Iowa, over the grave of George Perkins, a soldier of the revolutionary war.

D. W. TURNER,
Chairman.

President pro tem Smith was called to the chair at 3:10 o'clock P. M.

Senator Warren offered the following resolution and moved its adoption:

WHEREAS, Honorable J. L. McCormack, an honored member of the State Senate from 1871 to 1875, from Marion county, departed this life at his home in Knoxville, Iowa, on Thursday, the 30th day of December, 1904 therefore, be it

Resolved, That the President of the enate be and is hereby requested to appoint a committee of three to draft suitable resolutions concerning the life of the deceased.

Adopted.

REPORT OF COMMITTEE.

Senator Brooks, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture, to whom was referred House file No. 323, a bill for an act to amend section sixteen hundred fifty-seven-n (1657-n), chapter three (3) of the supplement to the code, beg leave to report that they have hac 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. T. BROOKS,
Chairman.

Ordered passed on file.

THIRD READING OF BILLS.

Senate file No. 182, a bill for an act providing for the placing by adoption and contract and for the care and protection of children of the Iowa Soldiers' Orphans' Home and to repeal section two thousand six hundred ninety (2690) of the code and other acts and parts of acts in conflict with this act, with report of committee recommending passage was taken up, considered, and the report of the committee, adopted.

Senator Dunham offered the following amendment and moved its adoption:

Amend by striking from lines four (4) and five (5) of the printed bill the words "or if separated by the one having the right to the custody of the child".

Adopted.

Senator Turner moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Crawford, Dowell, Eckles, Ericson, Garst, Gillilland, Harper, Hasselquist, Hopkins, Hughes, Jackson, Jamison, Kimmel, Kinne, Lewis, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stuckslager, Turner, Warren, Winne, Young of Lee, Young of Calhoun, Young of Washington—31.

The nays were:

Lyons, Molsberry, Stirton, Wilson of Clinton—4.

Absent or not voting:

Courtright, Crossley, Dunham, Elerick, Gale, Hartshorn, Hayward, Hogue, Jones, Lambert, Stookey, Taylor, Wade, Whipple, Wilson of Fayette—15.

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

Senate file No. 183, a bill for an act providing for the placing by adoption and contract and for the care and protection of children of the Iowa Soldiers' Orphans' Home and to repeal section twenty-six hundred ninety (2690) of the code and other acts

and parts of acts in conflict with this act, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Turner moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Crawford, Dunham, Eckles, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hopkins, Hughes, Jackson, Jamison, Kimmel, Kinne, Lewis, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stuckslager, Turner, Warren, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun, Young of Washington —33.

The nays were:

Lyons, Molsberry, Stirton, Wilson of Clinton—4.

Absent or not voting:

Courtright, Crossley, Dowell, Elerick, Gale, Hayward, Hogue, Jones, Lambert, Stookey Taylor, Wade, Whipple—13.

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

The President resumed the chair at 3:30 o'clock P. 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 concurred in Senate amendments to House file No. 72 in which the concurrence of the House was asked:

A bill for an act to legalize the incorporation of the town of Dow City, Crawford county, Iowa, the election of its officers the acts done and ordinances and resolutions passed by the council of said town and to define the limit thereof.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 32, in which the concurrence of the House was asked:

A bill for an act to amend section five hundred eighty-five (585) of the code relating to township and township officers.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file two hundred forty-nine (249), a bill for an act relating to the rules for admission to the Soldiers' Home.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 239, a bill for an act to amend the law as it appears in section two thousand four hundred forty-eight (2448) of the code relating to the establishment of saloons within certain distances of specified buildings and places and to include cemeteries among the places affected by the provisions of said section.

C. R. BENEDICT,
Chief Clerk

Senator Stuckslager, from the committee on Banks, submitted the following report:

MR. PRESIDENT—Your committee on Banks to whom was referred House file No. 27, a bill for an act to amend section eighteen hundred fifty (1850) chapter ten (10) title nine (9) paragraph four (4) of the code relating to investments of funds of savings 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 same be indfinitely postponed.

W. C. STUCKSLAGER,
Chairman.

Adopted.

So the bill was indefinitely postponed.

THIRD READING OF BILLS.

House file No. 100, a bill for an act punishing any person who shall ask, request, or solicit another to have carnal knowledge with any female, for a consideration or otherwise, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Spaulding moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Dowell, Dunham, Eckles, Ericson, Garst, Harper, Hartshorn, Hasselquist, Hopkins, Hughes, Jamison, Jones, Kimmel, Kinne, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stuckslager, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington.—37.

The nays were:

None.

Absent or not voting:

Crossley, Elerick, Gale, Gillilland, Hayward, Hogue, Jackson, Lambert, Maytag, Stookey, Taylor, Turner Wade.—13.

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

Senator Courtright asked unanimous consent to have the Primary Election bill as amended printed in the Journal.

Consent granted.

SENATE FILE NO. 323.

A BILL for an act providing for the nomination, by political parties or organizations, of candidates for various offices and election of delegates to conventions of said political parties or organizations, by a primary election and for the holding of conventions for the nomination of candidates for certain offices by such political parties or organizations.

Be it Enacted by the General Assembly of the State of Iowa.

Section 1. In the year 1908 and biennially thereafter the candidates of political parties for all township, county and legislative offices in counties having a population of less than seventy-five thousand which under the law are filled by the direct vote of the voters of this State at the general election in November, shall be nominated by a primary election at the times and in the manner hereinafter provided. The provisions of chapter three (3) and four (4), title VI (6), and chapter eight (8), title XXIV (24) of the code, shall apply so far as applicable to all such primary elections the same as general elections, except as hereinafter provided. This act shall not apply to special elections.

Section 2. A political party under this act shall be construed to be any political organization which maintains a county, district or state organization.

Section 3. The primary election herein provided for shall consist of an election by all political parties and shall be held at the usual voting places of the several precincts on the first Tuesday in June, 1908, and biennially thereafter, for the nomination of candidates to be nominated by a primary election and for the election of delegates.

Section 4. The judges and clerks of said primary election shall be selected and appointed in the same manner as for the general election held in November following, and they shall take the same oath, and the judges are hereby authorized to administer oaths as hereinafter provided. Vacancies shall be filled as provided for the judges and clerks of the general election, and their compensation shall be the same. The expenses of said primary elections shall be paid by the county in which the said primary election is held.

Section 5. The Australian ballot system as used in this State, except as herein provided, shall be used at said primary election in all precincts. The voters shall in all cases mark the ballot in the square before the name of each person for whom he desires to vote. In cities where registration is required by law, the polls shall be open, from 7:00 a. m. to 8:00 p. m. and in all other precincts from 1:00 p. m. to 8:00 p. m. The elector voting at said primary election shall be allowed to vote for candidates for nomination on the ticket of only one political party, and that shall be the party with which he is enrolled as affiliated.

Section 6. Any person will be entitled to participate in a primary election who is a qualified elector in such precinct at the time of said primary election and who has designated the political party with which he desires to be affiliated at some preceding general election, (unless challenged, and if challenged, then only in the event that the challenge is determined in favor of the voter) and shall be entitled forthwith but not later, to receive a ballot of the political party with which it is determined by the poll books of the last preceding general election that he declared his affiliations. The elector voting at said primary election shall be allowed to vote for candidates for nominations on the ticket of only one political party, and that shall be the party with which he is registered as affiliated with; provided, however, that those who failed to register their party affiliation for any of the reasons enumerated in section eight (8) of this act, shall, upon complying with the requirements of said section, have their names registered as provided therein and be permitted to vote; and provided further that a first voter, or citizen of this State casting his first vote in this State, shall be allowed to vote upon declaring on oath his political affiliation. When an elector has changed his residence within the State after the November election and before the primary election following, he may show his party affiliation to a certificate from the

county auditor of the county in which he last voted, which certificate shall be issued upon request by said officer. The endorsement of the judges of election and the fac simile of the auditor's signature shall appear upon the ballots, as provided by law for the ballots used for the November election. A judge of election shall publicly inform the voter that it is his right to vote for his choice of the candidates for such office, and he must return the ballot folded that it may be deposited in the ballot box.

Section 7. In order that none but those affiliating with and being members of any political party shall participate in any primary election held by such political party, a system for the registration of such persons is hereby provided, and such registration shall be conducted in form and manner as follows:— At the general election held in November, there shall be set aside on the regular poll books used for the purpose of entering the names of persons who are qualified to and do vote, space for the registration of all persons who may desire to take part in any primary election held thereafter by any political party. Such space shall be provided on the regular election poll books, immediately following the last perpendicularly ruled column in such book, and shall be headed as follows: "Party Affiliations." It shall be the duty of the judges at such general election to offer every voter a printed blank on which there shall be a blank space for the voter to write his name and under that there shall be printed the names of all the political parties recognized by this act with a square before the name of each political party on which printed blank the voter can write his name and make a cross mark in the square before the name of the political party with which he wishes to affiliate. If the voter wishes, he can take his blank into a booth, mark it unobserved, seal it in a thick envelope provided for that purpose by the judges, and deposit it before the judges in a ballot box kept for that purpose. If a voter does not care to affiliate, his blank must still be enclosed in the envelope, even though unmarked, and deposited in said ballot box. Immediately after the closing of the polls and the canvassing of the vote for the candidates for the various offices, the judges shall also take from the ballot box provided for that purpose the envelopes containing the printed blanks on which the voters have declared their political party affiliation, open the same, and duly record in the blank spaces prepared for that purpose in the poll book and opposite that particular voter's name the party affiliation of each voter as shown thereon. In case any voter does not desire to state his party affiliation he shall not be required to do so nor shall his failure to do so act as a bar to his voting at any election held under the provisions of the general election law, except a primary election. The voters selection shall constitute his declaration of party affiliation and shall be checked on the voting list used by the clerks of the primary election board and said list shall be returned to the county auditor for preservation. Copies of the names and party entries on such list together with the changes of party affiliation hereinafter provided, arranged alphabeti-

cally by surnames, shall be used at subsequent primaries for determining with what party the voter has been enrolled and no voter enrolled under the provisions of this act shall be allowed to receive the ballot of any political party except that with which he is so enrolled, but he may change his enrollment as elsewhere provided in this act. The county auditor shall prepare for each voting precinct two of the above mentioned lists duly certified him, which he shall deliver to the primary election boards in 1908 and biennially thereafter, at least one day prior to the day of the primary election and which lists together with the poll books of the primary election shall be returned to the said auditor in good condition within twenty-four hours after the primary election to be preserved by him. Provided that before returning said poll lists the primary election shall strike from said lists the names of all persons who have ceased to be voters in their precincts.

Section 8. Any person who has thus declared his party affiliation shall thereafter be listed on the poll books as a member of that political party, and such person while living in the same voting precinct need not declare his party affiliation at succeeding primary elections unless he desires to change his party affiliation. Any elector whose party affiliation was not recorded at some general election on account of failure to vote or desire not to declare his party affiliation, or who having declared his party affiliation desires to change the same, may, nor less than sixty days prior to the date of any primary election file a written declaration with the county auditor stating his party affiliation or change of party affiliation, and the auditor shall enter a record of the same on the poll books in the proper column opposite the voter's name. Any elector who has changed his residence to another precinct, or a first voter or citizen of this State casting his first vote in this State shall be entitled to vote at any subsequent primary election in the same manner and upon the same terms as provided in section six (6) of this act and the clerks of the primary election shall record his party affiliation and the county auditor shall add his name to the alphabetical lists for use in subsequent primary elections as provided for in section seven (7) of this act.

Section 9. Each political party shall be entitled to have two party challengers present at each polling place, to be appointed by the respective party committeemen. Any judge or clerk of the primary election or any party challenger may challenge any voter upon the grounds mentioned in section eleven hundred fifteen (115) of the Code and such challenge shall be determined as there provided. Any elector whose party affiliation has been recorded as provided by this act and who desires to change his party affiliation on the primary election day, shall be subject to challenge. If the person challenged insists that he is entitled to vote the ticket of the political party to which he has transferred his political affiliation and the challenge is not withdrawn, one of the judges shall tender to him the following oath:

"You do solemnly swear (or affirm) that you have in good faith changed your party affiliation to the.....party." And if he takes such oath he shall thereupon be given a ticket of such political party and the clerk of the primary election shall change his enrollment of party affiliation accordingly.

Section 10. The names of candidates for nomination shall be given to the county auditor at least thirty days before said primary election day, when such candidates are to be voted for only within one county, or any division thereof, and the names of candidates for nomination shall be given to the Secretary of State at least forty days before said primary election day, when such candidates are to be voted for in the several counties comprising legislative districts, in all of which instances said candidates shall file therewith an affidavit stating that he is eligible to the office for the township, county, or district, or the state in which he is and will be a bona fide candidate for nomination for said office, as follows:

I, A.....B.....,being duly sworn, say that I reside at.....street,.....(city or town), ...county, in the state of Iowa; that I am eligible to the office for which I am a candidate, and that the political party with which I affiliate is the.....party; that I am a .....and a candidate for nomination to the office of.....to be made at the primary election to be held on the first Tuesday in June 19...., and hereby request that my name be printed upon the official primary ballot as provided by law, as a candidate of the.....party. I furthermore declare that if I am nominated and elected I will qualify as such officer.

(Signed).....

Subscribed and sworn to (or affirmed) before me.....by .....on this.....day of.....190....

.....

Section 11. At least thirty (30) days before any such primary election the Secretary of State, shall submit to the auditors of the several counties in the said legislative districts a certified list containing the name and postoffice address of each person for whom nomination papers have been filed in his office in accordance with the preceding section and entitled to be voted for at such primary election by the voters of such county, together with a designation of the office for which each is a candidate, and the party from which he seeks a nomination. Such auditor shall forthwith, upon receipt thereof, publish under the proper party designation, the title of each office to be filled, the names and address of all persons for whom proper nomination papers have been duly filed, both in his own office and in the office of the Secretary of State, giving the name and address of each, the date of the primary, the hours during which the polls will be open and that the primary will be held in the regular voting places in each precinct. It shall be the duty of said auditor to publish said notice once each week for two consecutive weeks prior to the said primary eleetion. He shall also forth-

with mail copies of such notice to each city, town and township clerk of the county, who shall immediately post copies of the same in at least three (3) public places in each precinct of the township, town or city, designating therein the location of the polling place in each election precinct. Every publication required in this act shall be made in at least two (2) and not to exceed three (3) newspapers of general circulation in such county. One of such newspapers shall represent the political party which cast the largest vote in such county in the last preceding general election and one of such newspapers shall represent the political party which cast the next largest vote in such county at said general election. In any case where the publication of a notice cannot be made as hereinbefore required, it may be made in any newspaper having a general circulation in the county in which the notice is required to be published.

Section 12. The names of the candidates for nomination of each and every political party for the several offices shall be printed on separate and uniform ballots, with the name of the political party printed at the head of said ballots, which ballots shall be prepared by the county auditor in the same manner as for a general election. The names of candidates for each office on all primary election ballots shall be arranged alphabetically according to surnames. The ballot for the primary election shall include the legislative, county and township ticket and shall be in the folowing form:

NAME OF PARTY.

PRIMARY ELECTION BALLOT.

.....

FOR STATE SENATOR

.....DISTRICT

(Vote for one)

☐ George L. Wright

☐ John H. Black

☐ Wesley Homes

☐ .....

FOR REPRESENTATIVE

.....DISTRICT

(Vote for one)

☐ Howard Collins.

☐ William Longley.

☐ ....

FOR COUNTY AUDITOR.

(Vote for one)

☐ John Smith.

☐ William Strong.

☐ Robert Thompson;

☐ .....

DELEGATES TO COUNTY CONVENTION

(Vote for .....)

☐ .....

☐ .....

☐ .....

PARTY COMMITTEEMAN.

(Vote for one)

☐ .....

☐ .....

FOR TOWNSHIP CLERK.

(Vote for one)

☐ J. B. Hancock.

☐ Edward Dallas.

☐ .....

Whenever by a majority vote of the delegates at any regular county convention of any party regularly convened under this law for choice of delegates to district and state conventions, in any county wherein this law is operative, it shall be declared the desire of such convention that an expression of the preference of the voters of the party participating in the primary election shall be taken as to candidates for any state office or United States Senator, the proper officers shall until otherwise directed by such subsequent convention of such party, make proper provision upon the ticket to be voted by voters of such party at subsequent primary elections for the expression of the preference of the individual voter for such candidates for the designated offices, and returns of the expression of preference shall be made by the

judges of election to the county auditor as for the vote upon delegates at such election.

Section 13. All necessary election supplies, including poll books as provided by law, for the general election, shall be furnished for the primary election board for each precinct by the county auditor, and such poll books shall contain blank spaces for the names of the candidates of the several parties for the different offices to be written in and blank spaces for entering by the clerks the names of the electors voting at said primary election; and upon the pages provided for entering the name of said voters there shall be ruled spaces for the listing of names of said voters and for the designation of the party ticket voted by said elector in manner and form as follows:

No	Name.	Republican.	Democrat.	Prohibitionist.	Socialist.
1.	James Smith ...	X			
2.	Tom Jones.		X		
3.	Dan Brown.....			X	
4.	Geo. White.....				X

It shall be the duty of the clerks of the primary election when entering a name of a voter to place in the poll book a cross, thus (X), in the column designating the party ticket which was given to said voter upon his application for a ticket.

Section 14. Upon the closing of the polls, the clerks and judges shall immediately open the ballot box at each polling place and proceed to take therefrom the ballots. Said officers shall count the number of ballots cast by each party, at the same time stringing the tickets cast for each party together on separate wires. As soon as the clerks and judges shall have sorted the ballots of each separate party, then they shall take the tally sheets provided in the poll books and shall count all the ballots for each party separately until the count is completed, and shall certify to the number of votes cast for each candidate for each office upon the ticket of each party. After all have been counted and certified to by the clerks and judges, they shall seal the ballots cast by each of the parties in separate envelopes on the outside of which shall be printed or written the names of that party's candidates for the different offices, and opposite each candidate's name shall be placed the number of votes cast for such candidate in said precinct, and then seal these envelopes containing the votes of the various political parties, in one large envelope, on the outside of which, or on a paper attached thereto, shall be printed or written in perpendicular columns the names of the several political parties with the names of the candidates for the different offices under their respective party headings and opposite each candidate's name shall be placed the number of votes cast for such candidates in said precinct, and at the bottom of the total vote cast by each political party in said precinct, and such envelopes shall be returned to the county auditor.

Section 15. Said judges of election shall deliver the returns so made to the auditors of their respective counties within twenty-four (24) hours after the primary election has closed; and if the returns from any precinct be not so delivered within the said time, the county auditor shall forthwith send a messenger for any such missing returns, and said messenger shall be paid as provided by law for the general election. On the Thursday next following the general election, the auditor shall, in the presence of the chairman of the county central committee of each of the political parties whose candidates were voted for at the primary election (or, if they be not in attendance, then in the presence of any persons who desire to attend) open the said returns, and he shall thereupon canvass the same for all candidates for office in townships and political divisions less than a county, and the candidates for office who have received the highest number of votes cast, as determined by a count of the votes by the primary election board, shall be declared the nominees of the parties in such divisions, and their names shall be placed upon the ballots for the succeeding general election, as required by law.

Section 16. A certification of the result of said vote on candidates for the various county offices shall be made by the county auditor to the chairman of the county central committees of the several political parties participating in said primary election by 1:30 P. M. of the Friday following the first Tuesday in June, and these returns shall be reviewed as to the result of the vote on their own party candidates by the county central committee in open convention hereafter provided for, and those candidates receiving a majority of all the votes cast by any political party at said primary election shall be declared the nominees of that party and in case no candidate receives a majority of all the votes cast by any political party for any particular office as aforesaid, then the delegates to said county convention hereinafter provided for shall select the candidates by a majority vote of said delegates. Said convention shall by its chairman and secretary certify to the county auditor of the county wherein the same is held the nominees of the party. There shall be conventions of delegates of the different political parties held on or before the second Saturday following the first Tuesday in June, at an hour and place designated by the county central committee, the chairman and secretary acting for them, and said call shall be published in a newspaper in the county for at least ten days preceding the date of the convention and shall also designate the number of delegates each precinct is entitled to have in said county convention. The county auditor shall also make returns of the votes cast at said primary election in his county for the candidates for the legislative offices to the Secretary of State. And the Secretary of State shall certify the result to the chairmen of the respective committees of the various political parties in the different legislative districts.

Section 17. Delegates to the county convention and members of the county central committee of the various political parties shall be voted for in each voting precinct at the same time and place the primary election for the selection of party nominees is held, and the delegates selected shall attend the county convention of the party for which they are chosen, where they shall select from among their own number, delegates for the district

and state conventions of their party, make nominations when no candidate for any particular office has received a majority of all the votes cast by such political party, and transact such other business as may come before them.

Section 18. The selection of the delegates to the county convention shall be made in the following manner: the requisite number of delegates to which each precinct is entitled shall be determined by the county auditor from the written reports of the chairmen of the respective county central committees, said reports to be filed with the county auditor on or before May 1st preceding the primary election, setting forth the number of delegates to which each precinct is entitled in the county convention of their party. The county auditor shall have a like number of blank lines placed on each ballot: In case no report is filed by any of said chairmen as here provided, then the auditor shall determine the requisite number of delegates to which each precinct is entitled, as he may deem just and proportionate. The voter while in the booth shall write or paste on the blank lines provided on the ballot the requisite number of names of persons of his choice to act as delegates. And the requisite number of persons for delegates receiving the highest number of votes cast shall constitute the delegates from such precinct to the county convention. In case of a tie vote on any delegate or delegates, the matter shall be decided by lot to be cast then and there as the primary election board may determine. In case of vacancy on said delegation the remaining delegates selected shall have full power to vote and act for the entire delegation but there shall be no proxies. One member of the county central committee from each political party from each precinct shall be elected in the same manner in which delegates are selected. His term of office shall begin on the day of the county convention and immediately following the adjournment thereof and shall continue for two years and until his successor is elected and qualified. The chairman and secretary of the county central committees of the various political parties shall be elected by the members thereof.

Section 19. The delegates to the county convention, therein assembled, shall have announced to them in open convention by some person designated by the county central committee, the nominations made at the primary, as determined by a count of the votes cast, and in cases where no candidate has received a majority of all the votes cast by his party, they shall make nominations as provided in section sixteen (16) of this act, and they shall select delegates to the various district and State conventions from among the delegates elected to said county convention. The chairman of the respective district and State central committees of the several political parties participating in a primary election shall file with the chairmen of the county committees a report, showing the number of delegates each county is entitled to at their respective district or State conventions. And the delegates selected to the legislative district conventions comprising more than one county shall, when in attendance at said convention, have announced to them in open convention the nominations for the legislative district offices, and those candidates receiving a majority of all the votes cast by any political party at said primary election, shall be the nominees of that party, and in case no candidate receives a majority of all the votes cast by any political party for any particular office as aforesaid, then the delegates to said convention

therein assembled shall nominate the candidate by a majority vote of said delegates, and said convention shall, by their chairman and secretary, certify to the county auditors of the proper counties wherein said primaries are held for the nomination of candidates for the respective offices, and to the Secretary of State the nominees of their party in the different legislative districts, and transact such other business as may legally come before them. In case the provisions of this law are not in force and effect in any one or more counties in a legislative district as herein provided, then and in that event the delegates from all the counties of said legislative district shall, in said legislative district conventions, nominate by a majority vote of said delegates The delegates selected to the district conventions other than legislative and to the State conventions of the various political parties shall when in attendance at said district and State conventions make nominations for the various State and district offices other than legislative, and transact such other business as may legally come before them. Said State and district conventions shall by their chairman and secretary certify to the Secretary of State the nominees of their party for the various State and district offices. If any county shall not be fully represented in any district or State convention the delegates present from such county may fill the delegation or cast the full vote thereof but there shall be no proxies.

Section 20. Any party committeeman or any primary election or other public officer, upon whom the duty is imposed by this act or by acts herein made applicable to primary elections, who shall willfully neglect to perform any such duty, or who shall wilfully perform it in such a way as to hinder the objects thereof, or shall disclose to any one, except as may be ordered by any court of justice the contents of any ballot or any part thereof, as to the manner in which the same may have been voted, shall be punished by a fine of not less than one hundred dollars ($100), nor more than one thousand dollars ($1,000), or by imprisonment in the penitentiary not less than one (1) or more than five (5) years, or by both such fine and imprisonment.

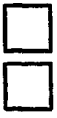
Section 21. Any person who shall agree to perform any services in the interest of any candidate in consideration of any money or other valuable thing, or who shall accept any money or other valuable thing for such services performed in the interest of any candidate, or any person paying or offering to pay or giving or offering to give money or other valuable things for such services, shall be punished by a fine of not more than three hundred dollars ($300), or be imprisoned in the county jail not exceeding thirty (30) days. But nothing herein shall be construed to include persons making contracts in good faith for the announcement of their candidacy in the newspapers and for the conveyance of voters to and from polling places on the day of the primary election and the payment of any reasonable compensation for such services.

Section 22. Any person offering or giving a bribe either in money or other consideration to any elector for the purpose of influencing his vote at any primary election, or any elector entitled to vote at such primary election receiving and accepting such bribe; any person making false answer to any of the provisions of this act relative to his qualifications and party affiliations; any person wilfully voting or offering to vote at a primary election who has not been a resident of this State for six months next preceding said

primary election; or who, at the primary election is not twenty-one years of age, or is not a citizen of the United States; or knowing himself not to be a qualified elector of such precinct where he offers to vote; or any person violating any of the provisions of this act or of the code, as may be hereto applied, and any person knowingly procuring, aiding or abetting such violation, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined a sum not less than one hundred dollars ($100) or more than five hundred dollars ($500), and be imprisoned in the county jail not less than ten (10) days nor more than ninety (90) days.

Section 23. The provisions of section two thousand four hundred forty-eight (2448) of the code relative to the closing of saloons on election days shall apply in like manner to primary election days under this act.

Section. 24. At the regular September meeting of the board of supervisors of any county in this State prior to a general election, on petition of five hundred of the qualified electors of said county not more than one-half of whom shall reside in the same precinct said board of supervisors shall order submitted to the voters of said county at the ensuing general election the question whether the provisions of this act shall apply to said county. The form of ballot which may be printed on the general official ballot shall be:



For The Primary Election Law

Against The Primary Election Law

And if a majority of all the votes cast for and against said proposition shall be for the primary election law, then and not otherwise shall the provisions of this act be in full force in said county in thirty days after said election if it shall have been decided by a majority in favor of said proposition.

Senator Stuckslager moved that the Senate do now adjourn.

Carried.

Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, March 30, 1906.

Senate met in regular session at 9 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. E. G. Beyer of Brighton, Iowa

PETITIONS AND MEMORIALS.

Senator Bleakly presented petition of twelve citizens of Battle Creek, Iowa, favoring the passage of House file No. 183, known as the Exemption bill.

Referred to Sifting committee.

Senator Bleakly presented petition of forty citizens of Remsen, Iowa, favoring the passage of House file No. 183, known as the Exemption bill.

Referred to Sifting committee.

Senator Bleakly presented petition of twenty-two citizens of Marcus, Iowa, favoring the passage of House file No. 183, known as the Exemption bill.

Referred to Sifting committee.

Senator Bleakly presented petition of forty residents of Ida Grove, Iowa, favoring the passage of House file No. 183, relative to exemptions.

Referred to Sifting committee.

Senator Smith of Mitchell presented petition of five citizens of Millerville and twenty-three citizens of Leland, Iowa, favoring the passage of House file No. 183, known as the Exemption bill.

Referred to Sifting committee.

Senator Kinne presented petition of thirty-three residents of Spencer, Iowa, favoring the passage of House file No. 183, known as the Exemption bill.

Referred to Sifting committee.

Senator Jones presented petition of citizens of Wright, Iowa, favoring the passage of House file No. 183, known as the Exemption Bill.

Referred to Sifting committee.

Senator Brooks presented petition of citizens of Keota and Sigourney, Iowa, favoring the passage of House file No. 183, known as the Exemption bill.

Referred to the Sifting committee.

Senator Jones presented petition of citizens of Beacon favoring the passage of House file No. 183, relating to exemptions.

Referred to Sifting committee.

Senator Dunham presented petition of citizens of Independence, Iowa, favoring the passage of the Exemption bill, known as House file No. 183.

Referred to Sifting committee.

Senator Dunham presented petition of citizens of Winthrop, Iowa, favoring the passage of the Exemption bill, House file No. 183.

Referred to Sifting committee.

Senator Dunham presented petition of constituents, favoring the passage of House file No. 183, known as the Exemption bill.

Referred to Sifting committee.

Senator Hasselquist presented petition of eleven citizens of Lineville, Iowa, favoring the passage of the Exemption bill, House file No. 183.

Referred to Sifting committee.

Senator Young of Lee presented petition of locomotive engineers of Ft. Madison, Iowa, protesting against the passage of the proposed exemption bills and the insurance bills.

Referred to Sifting committee.

Senator Harper presented petition of constituents favoring the passage of House file No. 183, known as the Exemption bill.

Referred to Sifting committee.

Senator Saunders presented petition of residents of Council Bluffs, Iowa urging the passage of House file No. 183 relating to exemptions.

Referred to Sifting committee.

Senator Lyons presented petition of the Political Equality Club of Cresco, Iowa, favoring the passage of a bill giving presidential suffrage to women.

Referred to Sifting committee.

Senator Garst presented petition of citizens of Dana, Iowa favoring the passage of House file No. 183, relating to exemptions.

Referred to Sifting committee.

Senator Hopkins presented petition of residents of Dawson, Iowa, favoring the passage of House file No. 183, relative to exemptions.

Referred to Sifting Committee.

HOUSE MESSAGES CONSIDERED.

House file No. 407, a bill for an act to legalize the election of the mayors, members of the city council and other city officials of the city of Iowa Falls, Hardin county, Iowa and all the acts thereof during the ten years last past.

Read first and second time and referred to Sifting committee.

Senate file No. 249, a bill for an act relating to the rules for admission to the Soldiers' Home.

Ordered passed on file.

House has concurred in Senate amendment to House file No. 32, a bill for an act to amend section fifty-eight (58) of the code relating to townships and township officers.

Ordered passed on file.

House has concurred in Senate amendments to House file No. 175, a bill for an act to amend section thirty hundred forty seven (3047) of the code relating to the assignment of wages.

Ordered passed on file.

Senate file No, 13, a bill for an act to create a legislative commission to examine the subject of all insurance and the practice

of the insurance companies doing business in this state and make recommendations concerning the insurance laws and providing a uniform policy for life and fire insurance and report their findings and recommendations to the next General Assembly and for other purposes.

Ordered passed on file.

Senate file No. 239, a bill for an act to amend the law as it appears in section twenty-four hundred forty-eight (2448) of the code relating to the establishment of saloons within certain distances of specified buildings and places and to include cemeteries among the places affected by the provisions of said sections.

Ordered passed on file.

REPORTS OF COMMITTEES.

Senator Crossley, from the committee on Schools, submitted the following report:

MR. PRESIDENT—Your committee on Schools to whom was referred Senate file No. 296, a bill for an act to repeal sections twenty-six hundred twenty-eight (2628), twenty-six hundred twenty-nine (2629), twenty-six hundred thirty (2630), twenty-six hundred thirty-one (2631), twenty-six hundred thirty-three (2633), twenty-six hundred thirty-four (2634), chapter two (2), title thirteen (13) of the code, etc., and to define the powers and duties of the educational board of examiners, and to encourage training in the science and art of teaching, beg leave to report that 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.

JAMES J. CROSSLEY,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Schools, to whom was referred Senate file No. 79, a bill for an act to amend section twenty-seven hundred ninety-nine (2799) of the code, relating to uniting 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.

JAMES J. CROSSLEY,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Lewis, from the committee on Elections, submitted the following report.

MR. PRESIDENT—Your committee on Elections, to whom was referred House file No. 387, a bill for an act to amend sections two (2) and five (5) of chapter forty (40) of the acts of the Thirtieth General Assembly, relating to primary elections, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

L. W. LEWIS,
Chairman.

Adopted.

The President announced the following committee to draft suitable resolutions relating to the death of J. L. McCormack, late of Marion County, Iowa; Senators Warren, Crossley and Lyons.

Senator Wilson of Fayette, from the committee appointed to draft suitable resolutions respecting the death of the late Hon. Harvey S. Brunson of Fayette County, Iowa, submitted the following report and moved its adoption:

RESOLUTIONS.

MR. PRESIDENT—Your committee appointed to draft resolutions on the death of Harvey S. Brunson, late of Fayette county, Iowa, beg leave to submit the following report:

Rev. Harvey S. Brunson, late of Fayette, Iowa, was born at Euclid near Cleveland, Ohio, May 10, 1814. About 1840 he moved to the state of Illinois in which year he entered the ministry, uniting with the Rock River Conference of the Methodist Episcopal Church. In 1850, he came with his family and settled in Fayette County, Iowa, in which county he resided continuously up to the time of his death, which occurred December 8, 1905, having attained the advanced age of ninety-one years. After coming to Iowa he continued in the ministry for many years and at one time was presiding Elder, when his district included the larger part of North-eastern Iowa. He afterwards engaged in industrial and commercial pursuits.

He was a member of this Senate in the Ninth and Tenth General Assemblies in 1862 and 1864, representing Fayette County as his district. He possessed a clear analytical mind, up to the time of his death. He was a logical, forceful speaker, an able preacher, an efficient legislator, a devoted husband and father and a worthy citizen.

Therefore, in recognition of the life and character and worthy services of the deceased, be it

Resolved, That we extend to his family our sincere sympathy in their bereavement.

Resolved, That these resolutions be entered on the Journal of the Senate and that an engrossed copy be presented to the family of the deceased by the Secretary of the Senate.

A. C. WILSON,
B. W. NEWBERRY,
L. L. TAYLOR,
Committee.

Senator Newberry, spoke as follows

MR. PRESIDENT—I knew Hon. Harvey S. Brunson for many years. He did not have the advantages of a collegiate education. He was educated in a like school as our friend the Senator from Black Hawk, in what he terms the school of "hard knocks". But let me suggest that many of our most succesful men in the whole realm of human endeavor are graduates of that school, which is an educational institution that asks no appropriations, is not concerned for a "board of control", but which insists on the requirements of pluck, perseverence, industry and a sufficient equipment of common sense.

Recognizing the need of advanced education available to the youth of his part of the state, Mr. Brunson suggested, fifty years ago the project of locating at his home town of Fayette a denominational college, known as the Upper Iowa University. And for more than forty years he was a member of its board of trustees.

Mr. Brunson was a self-made man. He possessed a clear, logical mind. He was of a kind, genial nature, tolerant with those who differed with him but at all times had the courage of his convictions. He was an able and successful minister of the gospel. As a logician and debater he had bnt few superiors. He served many years as an itinerant Methodist minister, enduring with fortitude, the trials and privations of a pioneer preacher, a a class of resolute men who very materially assisted in laying the foundations of our commonwealth on the broad principles of justice, righteousness and equality. and who wielded a potent influence in the uplifting of humanity, and the upbuilding of society.

Mr. Brunson always took an active interest in public affairs, whether affecting his own community or society at large. He was instrumental, perhaps, more than any one else in having the first railroad located and built in Fayette county. He occupied numerous positions of trust and responsibility and filled them with fidelity.

During the Civil War he was a member of this Senate and did all in his power to aid the "Old War Governor", Samuel J. Kirkwood, in his efforts to sustain the Union.

He was a plain unassuming man who shrank from fulsome eulogy.

I cannot forbear reading a letter that was found among his papers after his death, addressed to his family and which was read at his funeral, which will disclose to this Senate better than any words I can give the characteristics of this true, noble, christian man who has gone to his reward.

TO MY BELOVED WIFE AND CHILDREN:

As I am now nearing the end of a long and rather uncommonly earthly life, I wish here in this manner to record my gratitude to God for that uniform good Providence which has, throughout all these years, followed and led me. Indeed I have a conscious sense of utter unworthiness of the honor and blessings received. My home has always been a home indeed to me. The wife and mother has always been the central sun of the family, around which gathered the husband and kind and loving children. And most nobly and wisely has she discharged her trust. And should I, as it seems to me probable, pass on before her, it is with great comfort and satisfaction that I can commit her to the care of our kind children. And while it is possible that it may be a long and weary service yet, I know you will feel that no service you can render to God or man will be more acceptable to Him, who notes the fall of the sparrow.

And now a few thoughts in reference to myself. I do not wish this should be in any way considered as an ultimatum but desire to leave my children untrammeled, should they think otherwise in these matters. But let it be understood, these are my views in case there is a general concurrence.

Bury me with the simple forms of that church of which I have had the honor of being a member since the year 1840.

Let the service be at our own home and my remains be taken from thence to the tomb, our pastor taking charge simply and without sermon. I wish however, in place of a sermon that my son Solon should make such remarks as he may deem proper. My reason for this is chiefly that he is better acquainted with me and my repugnance to undue eulogies over the dead, and I can trust his good judgment to say what may be said truthfully. Any notice for publication should be written by him.

And now committing myself to God and His abounding grace, I await the call of the Master whom I have been trying to serve in my weak and unworthy way for many years. Yet with the full assurance that when the end comes I shall be ready to go; and though later, I feel confident that our family will be united again in the glorious hereafter.

The resolution was unanimously adopted by a rising vote.

Senator Wilson, of Fayette, moved that the remarks made by Senator Newberry be printed in the Journal.

Carried.

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 bill in which the concurrence of the House was asked.

Senate file No. 276, a bill for an act to amend section twenty-four hundred fifty (2450) of the code relating to the sale of intoxicating liquors under the mulct law.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has failed to pass the following bill substitute for Senate file No 179, in which the concurrence of the House was asked:

A bill for an act to create a Board of Regents for the State University, the College of Agriculture and Mechanic Arts and the Normal School and to prescribe its duties and to provide for the management and control of the State University, the College of Agriculture and Mechanic Arts and the Normal School, to make appropriations therefor and to define certain offenses and provide penalties therefor, and to repeal sections twenty-six hundred seventeen (2617), twenty-six hundred eighteen (2618), twenty-six hundred nineteen (2619), twenty-six hundred twenty (2620), twenty-six hundred thirty-five (2635), twenty-six thirty-six (2636), twenty-six hundred forty-two (2642), twenty-six hundred forty-six (2646). twenty-six hundred forty-seven (2647), twenty-six hundred fifty (2650), twenty-six hundred fifty-one (2651), twenty-six hundred fifty-two (2652), twenty-six hundred fifty-three (2653), twenty-six hundred sixty-eight (2668), twenty-six hundred sixty-nine (2669), twenty-six hundred seventy (2670), twenty-six hundred eighty-one (2681) of the code and the law as it appears in section twenty-seven hundred twenty.seven-a-fifty-three (2727-a-53), twenty-seven hundred twenty-seven-a-fifty-four (2727-a-54) twenty senven hundred twenty-seven-a-fifty-five (2727-a-55), twenty-seven hundred twenty-seven-a-fifty-six (2727-a-56), of the supplement to the code, and to repeal all acts and parts of acts inconsistent with this act.

C. R, BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 268, a bill for an act appropriating money to pay the expenses of the members of the Iowa Shiloh Battlefield Monument Commission. the Iowa Vicksburg Park Monument Commission, the Iowa Lookout Mountain and Missionary Ridge Monument Commission, and the Iowa Andersonville Prison Monument Commission, and their guests, upon a joint visit to the several fields upon which monuments have been erected under their supervision, for the purpose of dedicating the same.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 126, a bill for an act for the protection of birds, their nests and eggs, the whole being additional to chapter fifteen (15), title twelve (12) of the code.

C. R BENEDICT,
Chief Clerk.

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:

House file 273, a bill for an act to provide for the assessment of rural and farm telephone lines.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 192, a bill for an act to provide for the erection, repairs and equipment of buildings for the Iowa State College of Agriculture and Mechanics Arts.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 75, a bill for an act providing for the prevention of tuberculosis and for the establishment, location, erection and operation of a state sanitarium for the treatment of persons having incipient pulmonary tuberculosis and making appropriations therefor, and repealing acts in conflict herewith.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 207, a bill for an act providing for a levy of a special tax of one-fifth of a mill on the dollar upon the assessed valuation of the taxable property of the state for the erection, repairs and improvement of buildings for the State University of Iowa.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 176, a bill for an act to provide for the erection, repair, improvement and equipment of buildings for the State Normal school.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 134, a bill for an act for extension work by the Iowa State College of Agriculture and Mechanic Arts.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 114, in which the concurrence of the House was asked.

A bill for an act to amend chapter twelve (12), title eighteen (18) of the code and to determine the priority of certain claims in the distribution of property in the hands of receivers.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 153 in which the concurrence of the House was asked:

A bill for an act to amend section seven (7), chapter forty (40) of the acts of the Thirtieth General Assembly of the State of Iowa, relating to primary elections and the manner in which candidates may procure their names to be placed on the primary ticket.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 138 in which the concurrence of the House was asked:

A bill for an act to amend section forty-eight hundred twenty-one (4821) of the code relating to hunting on enclosed land.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 286 in which the concurrence of the House was asked:

A bill for an act to amend sections nine hundred twenty-two (922), nine hundred twenty-three (923) and nine hundred twenty-four (924) of the code, relating to the platting of land by the county auditor.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 39 in which the concurrence of the House was asked:

A bill for an act to amend section fifteen hundred thirty (1530) of the supplement to the code, giving boards of supervisors power to levy additional mill.

C. R. BENEDICT,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Hayward, Senate file No. 338, a bill for an act to amend section two (2) of chapter one hundred six (106) of the acts of the Thirtieth General Assembly in relation to the Iowa Soldiers' Orphans' Home.

Read first and second time and referred to Sifting committee.

Senator Hayward asked unanimous consent to recall Senate file No. 232 from the Appropriation committee.

Consent granted.

REPORT OF COMMITTEE.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred House file No. 11, a bill for an act providing for placing a statue in bronze of Samuel J. Kirkwood, Ex-Governor of Iowa, in the National Statuary Hall in the Capitol Building at Washington, D. C., and appropriating money to pay 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.

WARREN GARST,
Chairman.

Adopted.

THIRD READING OF BILLS.

House file No. 11, a bill for an act providing for placing a statue in bronze of Samuel J. Kirkwood, Ex-Governor of Iowa in the National Statuary Hall in the Capitol Building at Washington, D. C., and appropriating money to pay therefor was taken up and considered.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

Senator Hughes addressed the Senate and as a part of his remarks Senator Hughes secured unanimous consent that the following brief from the address of Major Ira J. Alder of Iowa City, Iowa, delivered at the meeting of the Mahaska County Veterans' Association at Oskaloosa, Iowa, October 31, 1905, should be printed in the Journal:

The history of peerless Iowa, rocked between two mighty rivers, and her great men, in statesmanship and arms, exists almost without a parallel; whose names will be written in the future on Fame's eternal Roll.

Samuel J. Kirkwood, the war governor of Iowa, was the Hercules of our great State, when the red clouds of war gathered and hung over our beloved land, and with patriotic music on every breeze that blew, which called her sons to arms, Iowa, as young as she was, sent eighty thousand of her heroes to the field of battle, to perish in defense of the flag of the Nation, and her liberties—one-tenth of her population.

If her War Governor would have remained a citizen of Ohio, he would have been president of the United States. Not a drop of his own blood runs in the veins of human nature—but the brave and patriotic soldiers, living and dead, of his adopted state were his children. The pride of their herioc deeds was whispered from his dying lips, when the death dews were gathing upon his brow. He loved the Iowa soldier better than he did himself or his own life, and in the hour of final departure he called the names of his ranking officers and fought his battles over again.

That it seems meet, after forty years since that great death struggle for the perpetuation of our existence as a state and as a nation, a statute of living bronze of Iowa's most esteemed and illustrious citizen and statesman, Samuel Jorden Kirkwood, should be erected to his memory and placed in the Hall of Fame in the Capitol at Washington, by the side of that of our comrade, the greatest of the great before history, Abraham Lincoln. And also a like tribute should be erected at the expense of our great commonwealth, in front of the 'Old Capitol' in the University Campus at Iowa City on the banks of the beautiful classic river that bears the name of our great state, his home, within whose walls Iowa, in 1856, conceived and drank a new birth of freedom under the magnetic power of its greatest citizen, then in the zenith of his manhood; to teach and inure into the minds of those of our sons and daughters there, seeking higher ideas in the race of life, of the principles of government which have made us great, as well as the spirit of patriotism and love, and the devotion to the flag of our common country, in times of peril and peace, and in recognition of the services of her soldiers in the morning of their days, "whose deeds of valor eternal summer gilds as yet."

I am not old, but I am half a year older than our state. I have seen for half a century yonder sun, the king of day, rise out of the Atlantic Ocean, pass over our beautiful prairies, and mighty mountains, through floatclouds, and bathe his golden plume in the mists of the great Pacific Ocean, mid the palm groves of the Orient, but never saw him set upon a government of the people, or the rights of man, conceived in justice and humanity.

Our army fought more than two thousand battles from the banks of the Mississippi to the sea, through seas of fire and oceans of flame, lost half a million of men. Our leader, 'Son of the Great West,' descendant of Quakers, greatest of the great before history, in the very moment of victory, dies like Socrates, like Christ at the foot of his work; achievements sublime! over which humanity will shed her eternal tears, and God his everlasting benediction

Senator Garst moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stuckslager, Turner, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington —39.

The nays were:

None.

Absent or not voting:

Gale, Hogue, Hopkins, Jamison, Maytag, Stirton, Stookey, Taylor, Wade, Warren, Whipple—11.

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

REPORT OF COMMITTEE.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred House file No. 206, a bill for an act to indemnify L. H. Fenton for personal injury sustained by him while employed at the State Hospital for the Insane at Mt. Pleasant, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman.

Adopted.

THIRD READING OF BILLS.

House file No. 206, a bill for an act to indemnify L. H. Fenton

for personal injuries sustained by him while employed at the State hospital for the insane at Mt. Pleasant, Iowa, was taken up and considered.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

Senator Garst moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Saunders, Smith of Des Moines, Spaulding, Stirton, Stuckslager, Turner, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Gale, Hogue, Hopkins, Jamison, Maytag, Molsbery, Newberry, Stookey, Taylor, Wade, Warren, Whipple, Smith of Mitchell—13.

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

REPORTS OF COMMITTEE.

Senator Garst, from the committee on Appropriations submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred substitute amendment for House file 146, a bill for an act appropriating the sum of $862.38 to be paid H. W. Tapley and Philip Morgan in settlement of all claims against the State of Iowa by reason of the loss of valuable coins abstracted from the Historical Building by an employee 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 do pass.

WARREN GARST,
Chairman.

Adopted.

THIRD READING OF BILLS.

Substitute amendment for House file No. 146, a bill for an act appropriating the sum of $862.38 to be paid H. W. Tapley and Philip Morgan in settlement of all claims against the State of Iowa by reason of the loss of valuable coins abstracted from the Historical Building by an employee of the State, was taken up and considered.

Senator Garst moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Dowell, Dunham, Ericson, Garst, Gillilland, Harper. Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Saunders, Spaulding, Stirton, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—38.

The nays were:

Elerick—1.

Absent or not voting:

Crossley, Eckles, Gale, Hogue, Jackson, Jones, Newberry, Stookey, Taylor, Smith of Des Moines, Smith of Mitchell—11.

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

The President announced that he nad signed in the presence of the Senate, Senate files Nos. 5, 16, 26, 52, 114, 119, 171, 257 275, 301.

REPORT OF COMMITTEE.

Senator Garst from the committee on Appropriations submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 139, a bill for an act appropriating the sum of two thousand five hundred dollars ($2,500) to pay M. H. Byers for his services in prosecuting and collecting the claim of the State of Iowa against the United States government for money expended by the State in aiding the government to equip and place in the field its soldiers for the Spanieh war, beg

leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST,
Chairman

Adopted.

THIRD READING OF BILLS.

Senate file No. 139, a bill for an act appropriating the sum of two thousand five hundred dollars ($2,500) to pay M, H. Byers for his services in prosecuting and collecting the claim of the state of Iowa against the United States government for money expended by the state in aiding the government to equip and place in the field its soldiers for the Spanish War, was taken up and considered.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lewis, Maytag, Molsberry, Newberry, Saunders, Spaulding, Stuckslager, Turner, Warren, Whipple. Winne, Young of Lee, Young of Calhoun, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Gale, Lambert, Lyons, Stirton, Stookey, Taylor, Wade, Smith of Des Moines, Smith of Mitchell, Wilson of Fayette, Wilson of Clinton—11.

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

REPORT OF COMMITTEE.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 151, a bill for an act to provide for extension work by the Iowa State College of Agriculture and Mechanic Arts, and for investigation and experimental work by the Agricultural Experimental Station and to make appropriations therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following bill be substituted in lieu thereof, and when so substituted the bill do pass.

WARREN GARST,
Chairman.

Adopted.

SUBSTITUTE FOR SENATE FILE NO. 151.

A BILL for an act to provide for Agricultural Extension work by the Iowa State College of Agriculture and Mechanic Arts, and making an appropriation for the same.

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

Section 1. That the Iowa State College of Agriculture and Mechanic Arts is hereby authorized to undertake and maintain a system of agricultural extension work. Under this system the said College shall be authorized, to conduct experiments in the various portions of the state, and in giving instruction wherever, in the judgment of the College authorities, it shall be advisable, in reference to the various lines of agricultural work maintained upon the College grounds at Ames, Iowa. The College authorities are authorized to give instruction in corn and stock judging at Agricultural Fairs, Institutes and Clubs, and to aid in conducting short courses of instruction at suitable places throughout the state; to give lectures and demonstrations on the growing of crops and fruits, on stock raising, dairying, land drainage and kindred subjects including domestic science. This work shall be so planned as, in the judgment of the College authorities, is best calculated to carry to the communities remote from the College the benefits of the skilled instruction given by the teachers of said school and the results reached in the work of the Experiment Station:

Section 2. Especially shall this work include an analysis of soils and experiments in reference to the growing crops upon the same, investigations relating to the improvement of corn, small grains and forage plants; The maintenance of the fertility of the soil; the breeding, feeding and management of live stock; investigations relating to animal diseases; the origination, introduction and management of fruits; the production and marketing of dairy and other farm products.

Section 3. For the purpose of carrying out the provisions of this ac there is hereby appropriated out of any funds in the State Treasury, not otherwise appropriated the sum of fifteen thousand $15,000 dollars. Said appropriations to be available on and after the first day of July nineteen hundred and six; provided, that the funds appropriated by this act shall be expended according to plans agreed upon by the President, the Dean of Agriculture and the Board of Trustees of the Iowa State College f Agriculture and Mechanic Arts.

The substitute was read first and second time.

Senator Garst asked unanimons consent that the rules be suspended and the bill taken up for consideration at this time.

Consent granted.

THIRD READING OF BILLS.

Senate file No. 151, a bill for an act to provide for extension work by the Iowa State College of Agriculture and the Mechanic Arts, and for investigations and experimental work by the Agricultural Experiment Station and to make appropriations therefor, was taken up and considered.

Senator Garst moved that the substitute recommended by the committee be substituted for the original bill.

Carried.

By unanimous consent, further consideration of the bill was passed for the consideration of House messages.

HOUSE MESSAGES CONSIDERED.

Senate file No. 276, a bill for an act to amend section twenty-four hundred fifty (2450) of the code, relating to the sale of intoxicating liquors under the mulct law.

Ordered passed on file.

Senate file No. 189, a bill for an act to create a Board of Regents for the State University, the College of Agriculture and Mechanic Arts and the Normal School and to prescribe its duties and to provide for the management and control of the State University, the College of Agriculture and Mechanic Arts and the Normal School, to make appropriations therefor and to define certain offenses and provide penalties therefor, and to repeal sections twenty-six hundred seventeen (2617), twenty-six hundred eighteen (2618), twenty-six hundred nineteen (2619), twenty-six hundred twenty (2620), twenty-six hundred thirty-five (2635), twenty-six hundred thirty-six (2636), twenty-six hundred forty-two (2642), twenty-six hundred forty-six (2646), twenty-six hundred forty-seven (2647), twenty-six hundred fifty (2650), twenty-six hundred fifty-one (2651), twenty-six hundred fifty-two (2652), twenty-six hundred fifty-three (2653), twenty-six hundred sixty-eight (2668), twenty-six hundred sixty-nine (2669), twenty-six hundred seventy (2670), twenty-six hundred eighty-one (2681) of the code and the law as it appears in section twenty-seven hundred twenty-seven-a-fifty-three (2727-a-53), twenty-seven hundred twenty-seven-a-fifty-four (2727-a-54),

twenty-seven hundred twenty-seven-a-fifty-five (2727-a-55), twenty-seven hundred twenty-seven-a-fifty-six (2727-a-56), of the supplement to the code, and to repeal all acts and parts of acts inconsistent with this act.

Ordered passed on file.

Senate file No. 268, a bill for an act appropriating money to pay the expenses of the members of the Iowa Shiloh Battlefield Monument Commission, the Iowa Vicksburg Park Monument Commission, the Iowa Lookout Mountain and Missionary Ridge Monument Commission, and the Iowa Andersonville Prison Monument Commission, and their guests, upon a joint visit to the several fields upon which monuments have been erected under their supervision, for the purpose of dedicating the same.

Ordered passed on file.

House amended and passed Senate file No. 126, a bill for an act for the protection of birds, their nests and eggs, the whole being additional to chapter fifteen (15), title twelve (12) of the code.

Ordered passed on file.

THIRD READING OF BILLS.

By unanimous consent Senate file No. 126, a bill for an act for the protection of birds, their nests and eggs, the whole being additional to chapter fifteen (15), title twelve (12) of the code, was taken up and considered.

Senator Courtright moved that the Senate concur in the following House amendments:

Amend by striking out the period (.) after the word "state" in line three (3) of section nine (9) of the printed bill, and inserting a semi-colon (;) therefor, and adding the following thereto:

"And provided further that this act shall not be construed to forbid the selling or shipping of parrots, canaries or other cage birds, which are imported from other countries or not native to any part of the United States."

On the question, Shall the Senate concur in the House amendments?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles Elerick, Ericson, Garst, Gillilland,

Harper, Hasselquist, Hayward, Hogue, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, Lewis, Maytag, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stuckslager, Turner, Wilson of Fayette, Winne, Young of Calhoun, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Gale, Hartshorn, Hopkins, Jamison, Lyons, Molsberry, Stookey, Taylor, Wade, Warren, Whipple, Smith of Mitchell. Wilson of Clinton, Young of Lee—14.

So the House amendments were concurred in.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorabte body that the House has amended and passed the following joint resolution in which the concurrence of the House was asked:

Senate joint resolution No. 4 setting aside room No. twenty-seven (27) in the State Capitol Building for the use of newspaper publishers, reporters and correspondents.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 282, a bill for an act to require an annual apportionment and accounting of surplus of life insurance companies.

C. R. BENEDICT,
Chief Clerk.

The President announced that he had signed in the presence of the Senate, Senate files No. 61, 64, 142 and 213.

Senator Dowell was called to the chair at 10:30 o'clock, A. M.

HOUSE MESSAGES CONSIDERED.

House file No, 134, a bill for an act for extension work by the Iowa State College of Agriculture and Mechanic Arts.

Read first and second time.

THIRD READING OF BILLS.

By unanimous consent House file No. 134, a bill for an act to provide for extension work by the Iowa State College of Agri-

culture and the Mechanic Arts, and for investigations and experimental work by the Agricultural Experiment Station and to make appropriations therefor, was taken up and considered.

Senator Garst moved that the substitute for Senate file No. 151 be substituted for House file No. 134.

Carried.

The chair announced the Senate as in Committee of the Whole

The chair announced the Senate as in regular session.

Senator Brooks moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Newberry, Saunders Smith of Des Moines, Stuckslager, Turner, Wade Warren, Whipple, Winne, Young of Lee, Young of Calhoun, Young of Washington—38.

The nays were:

Lyons, Smith of Mitchell—2.

Absent or not voting:

Gale, Hartshorn, Maytag, Molsberry, Spaulding, Stirton, Stookey, Taylor, Wilson of Fayette, Wilson of Clinton—10.

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

HOUSE MESSAGES CONSIDERED.

House file No. 273, a bill for an act to provide for the assessment of rural and farm telephone lines.

Read first and second time and referred to Sifting committee.

House file No. 192, a bill for an act to provide for the erection, repairs and equipment of buildings for the State College of Agriculture and Mechanic Arts.

Read first and second time and referred to Sifting committee.

House file No. 75, a bill for an act to provide for the prevention of tuberculosis and for the establishment, location, erection and operation of a state sanitarium for the treatment of persons having incipient pulmonary tnberculosis and making appropriations therefor, and repealing acts in conflict herewith.

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

House file No, 207, a bill for an act providing for a levy of a special tax of one-fifth of a mill on the dollar upon the assessed valuation of the taxable property of the State for the erection, repair and improvement of buildings for the State University of Iowa.

Read first and second time and referred to Sifting committee.

House file No. 176, a bill for an act to provide for the erection, repair, improvement and equipment of buildings for the State Normal School.

Read first and second time.

Senator Turner moved that the Ways and Means millage bills be referred to the Appropriation committee.

On the question, Shall the motion prevail?

A roll call was demanded.

The yeas were:

Brooks, Crawford, Eckles, Hartshorn, Lambert, Lewis, Maytag, Smith of Des Moines, Smith of Mitchell, Stirton, Turner, Whipple, Wilson of Fayette, Young of Lee, Young of Washington—15.

The nays were:

Bleakly, Bruce, Courtright, Crossley, Dowell, Dunham, Elerick, Ericson, Gillilland, Harper, Hasselquist, Hayward, Hughes, Jackson, Jones, Kinne, Molsberry, Saunders, Warren, Winne, Young of Calhoun—21.

Absent or not voting:

Gale, Garst, Hogue, Hopkins, Jamison, Kimmel, Lyons, Newberry, Spaulding, Stookey, Stuckslager, Taylor, Wade, Wilson of Clinton—14.

So the motion was lost.

The millage bills were referred to the Sifting committee,

HOUSE MESSAGES CONSIDERED.

House concurred in Senate amendments to House file No. 114, a bill for an act to amend chapter four (4), title eighteen (18) of the code and to determine the priority of certain claims in the distribution of property in the hands of receivers.

Ordered passed on file.

House concurred in Senate amendments to House file No. 153, a bill for an act to amend section seven (7), chapter forty (40), of the acts of the Thirtieth General Assembly of the State of Iowa, relating to primary elections and the manner in which candidates may procure their names to be placed on the primary ticket.

Ordered passed on file.

House concurred in House file No. 138, a bill for an act to amend section forty-eight hundred twenty-one (4821) of the code relating to hunting on enclosed land.

Ordered passed on file.

House concurred in Senate amendments to House file No. 286, a bill for an act to amend sections nine hundred twenty-two (922), nine hundred twenty-three (923) and nine nundred twenty-four (924) of the code relating to the platting of land by the county auditor.

Ordered passed on file.

House concurred in Senate amendments to House file No. 39, a bill for an act to amend section fifteen hundred thirty (1530) of the supplement to the code, giving boards of supervisors power to levy additional mill.

Ordered passed on file.

House amended and passed joint resolution No. 4, setting aside room No. twenty-seven (27) in the state capitol building for the use of newspaper publishers, reporters, and correspondents.

Senator Lambert moved that joint resolution No. 4 be taken up and considered at this time.

Carried.

Senator Lambert moved that the Senate do not concur in the House amendments.

Carried.

HOUSE MESSAGES CONSIDERED.

House file No. 282, a bill for an act to require an annual apportionment and accounting of surplus of life insurance companies.

Read first and second time and referred to Sifting committee.

THIRD READING OF BILLS.

Substitute for House file No. 126, a bill for an act to amend chapter one hundred one (101) laws of the Thirtieth General Assembly, relating to the establishing and maintaining a State Board of Health laboratory at Iowa City, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The Chair announced the Senate as in Committee of the Whole.

The Chair announced the Senate as in regular session.

The Chair announced to the Senate that the Committee of the Whole recommended the following amendments:

In Section one (1), line five (5) of the substitute bill strike out the words "three thousand" and the figures "3,000" and insert the words "three thousand five hundred" and the figures "3,500" in lieu thereof.

Senator Garst moved the adoption of the amendments recommended by the Committee of the Whole.

Adopted.

Senator Garst moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Gale, Hogue, Hopkins, Lyons, Maytag, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Smith of Mitchell, Wilson of Clinton—13.

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

The President resumed the chair at 11:45 o'clock A. M.

House file No. 274, a bill for an act to repeal section twenty-five hundred (2500), twenty-five hundred one (2501), twenty-five hundred two (2502) of the code relating to geological surveys and the duties of the State Geologist, and to enact a substitute therefor, with report of committee recommending passage was taken up, considered, and the report of the committee, adopted,

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

The President announced that the Committee of the Whole recommended the following amendments:

Amend by striking out the figures 2501 in the nineteenth line of said bill and inserting in lieu thereof the figure (3).

Amend by striking out the figure 2500 in the fifth line and insert eu thereof the figure two (2).

Amend by striking out the figurers 2505 in line seven, page two of the bill and inserting in lieu thereof the figure (4).

Senator Garst moved the adoption of the amendments recommended by the Committee of the Whole.

Adopted.

Senator Garst moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass.

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry,

Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Turner, Wade, Whipple, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—40.

The nays were:
None.

Absent or not voting:

Crawford, Dunham, Gale, Hogue, Stookey, Stuckslager, Taylor, Warren, Smith of Mitchell, Wilson of Fayette—10.

So the bill having received a constitutional majortiy was declared to have passed the Senate and its title agreed to,

INTRODUCTION OF BILLS.

By Senator Garst, Senate file No. 339, a bill for an act making appropriations for the construction, repair, improvement and contingent funds for the State hospitals, penitentiaries, industrial schools, institution for the feeble minded, college for the blind, school for the deaf, Iowa Soldiers' Home, and Iowa Soldiers' Orphans' Home.

Read first and second time and placed on Calendar.

Senate file No. 310, a bill for an act to repeal section one hundred seventeen (117) of the code, and enact a substitute therefor, relative to the Public Printer and Binder, was taken up and considered.

By unanimous consent further consideration of the bill was postponed until this afternoon.

Senator Newberry moved that when the Senate adjourn it be until 2 o'clock P. M.

Carried.

REPORT OF COMMITTEE.

Senator Crawford, from the committee on Federal Relations, submitted the following report:

MR. PRESIDENT—Your committee on Federal Relations, to whom was referred a concurrent resolution adopted by the Senate and Assembly of the State of New York, proposing that application be made to the Congress of the United States for the calling of a convention to propose an amendment to the constitution of the United States, whereby polygamy and polygamous co-habitation shall be prohibited, and congress be given power to force such prohibition by appropriate legislation; and that the legislatures of other states be requested to join in said application by the adoption of this or a similar resolution, beg leave to report that they have had the same under

consideration and have instructed me to report the same back to the Senate with the recommendation that the House concurring, said resolution be adopted by the General Assembly of the State of Iowa, which hereby joins with the Senate and Assembly of the State of New York in its application to the Congress of the United States for the calling of a convention for the purpose set forth in the foregoing resolution, and that the Secretary of State be instructed to transmit a duly verified copy of this action to the Secretary of State of New York.

P. W. CRAWFORD,
Chairman

Adopted.

THIRD READING OF BILLS.

House file No. 229, a bill for an act to amend section twenty-four hundred thirty-nine (2439) of the code, relative to the collection of the mulct tax, with report of committee recommending passage was taken up, considered and the report of the committee adopted.

Senator Jamison moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hughes, Jamison, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Turner, Wade, Warren, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun, Young of Washington—34.

The nays were:

None.

Absent or not voting:

Brooks, Bruce, Gale, Hogue, Hopkins, Jackson, Jones, Kimmel, Kinne, Molsberry, Stookey, Stuckslager, Taylor, Whipple, Smith of Mitchell, Wilson of Clinton—16.

So the bill having received a constitutional majority was declared to have passed the Senate and its title 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 bill in which the concurrence of the Senate is asked.

House file No. 231, a bill for an act providing that owners of stallions and jacks shall have a lien for the service fee of said animals upon the female served and upon the get thereof; and providing punishment for willful destruction, concealment, sale or other disposition of such female or get during the existence of such lien.

C. R. BENEDICT,
Chief Clerk

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:

House file No. 384, a bill for an act to regulate and validate the submission of questions to be voted on by the electors of cities and towns at regular municipal elections, and to legalize proceedings heretofore had thereunder or hereafter to be had thereunder, the same being additional to title five (5) of the code.

C. R. BENEDICT
Chief Clerk.

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:

House file No 297, a bill for an act granting a right-of-way through lands owned by the State of Iowa to and about the Iowa State College of Agriculture and Mechanic Arts at Ames Story county, Iowa, to the Ft. Dodge, Des Moines & Southern Railway Company, its successors or assigns, with certain conditions and conferring upon the executive council of the State of Iowa certain powers in reference thereto.

C. R. BENEDICT,
Chief Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Turner from the committeeon Enrolled Bills, submitted the following report:

MR. PRESIDENT: Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 61, a bill for an act to repeal the law as it appears in section seven hundred thirty-two (732) of the supplement to the code, and to repeal chapter thirty-eight (38) of the laws of the Thirtieth General Assembly and to enact substitutes therefor, relative to the levy of taxes for library purposes.

Also:

Senate file No. 64, a bill for an act to repeal the law as it appears in section twenty-five hundred eighty-nine (2589) of the supplement to the code, and section twenty-five hundred ninety (2590) of the code, and to enact a substitute therefor, relative to the examination of pharmacists and their assistants.

Also:

Senate file No. 142, a bill for an act to amend the law as it appears in section twenty-seven hundred twenty-seven-c (2727-c) of the supplement to the code relating to salaries.

Also:

Senate file No. 213, a bill for an act to authorize the revocation and cancellation of a patent issued for the west half of the northwest quarter of section one (1) township seventy-four (74) north of range seventeen (17) west of the fifth principal meridian, Mahaska county, Iowa, and to authorize the issuance of patent covering the north half of the northwest quarter of section eleven (11) township seventy-four (74) north of range seventeen (17) west of the fifth principal meridian, Mahaska county, Iowa.

D. W. TURNER.
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turner from the joint committee on Enrolled Bills submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled Senate file No. 61, a bill for an act to repeal the law as it appears in section seven hundred thirty-two (762) of the supplement to the code, and to repeal chapter thirty-eight (38) of the laws of the Thirtieth General Assembly, and to enact substitute therefor, relative to the levy of taxes for library purposes.

Also:

Senate file No. 64, a bill for an act to repeal the law as it appears in section twenty-five hundred eighty-nine (2589) of the supplement to the code, and section twenty-five hundred ninety (2590) of the code, and to enact a substitute therefor, relative to the examination of pharmacists and their assistants.

Also:

Senate file No. 142, a bill for an act to amend the law as it appears in section twenty-seven hundred twenty-seven-c (2727-c) of the supplement to the code relating to salaries.

Also:

Senate file. No 213, a bill for an act to authorize the revocation and cancellation of a patent issued for the west half of the northwest quarter of section one (1), township seventy-four (74), north of range seventeen (17), west of the fifth principal meridian, Mahaska county, Iowa, and to authorize the issuance of a patent covering the northwest quarter of section eleven (11), township seventy-four (74), north of range seventeen (17), west of the fifth principal meridian, Mahaska county, Iowa.

House file No. 5, a bill for an act to amend the law as it appears in section seventeen hundred nine (1709) of the supplement to the code and to repeal

the law as it appears in section seventeen hundred ten (1710) of the supplement to the code and to enact a substitute therefor, and relating to insurance other than life.

Also:

House file No. 16, a bill for an act amendatory to and additional to the law as it appears in title twelve (XII) of chapter nineteen-a (19-a), repealing section twenty-six hundred-i (2600-i) and enacting a substitute therefor and amending section twenty-six hundred-h (2600-h) of the supplement to the code, relative to the practice of dentistry, recognizing certificates of dental examiners of other states and territories, and providing for certificates of removal of dentists from the state.

Also:

House file No. 26, a bill for an act to repeal chapter seventy-four (74) of the laws of the Thirtieth General Assembly relating to common carriers and additional to section two thousand seventy-four (2074) of the code and to provide a substitute therefor.

Also:

House file No. 52, a bill for an act to repeal section one hundred thirty-seven (137) of the code, relative to the publication and distribution of the proceedings of the Iowa State Teachers' Association and to enact a substitute therefor.

Also:

House file No. 114, a bill for an act to amend chapter twelve (12), title eighteen (18) of the code, and to determine the priority of certain claims in the distribution of property in the hands of receivers.

Also:

House file No. 119, a bill for an act to repeal section thirteen hundred six-b (1306-b) of the supplement to the code, and chapter forty-three (43) of the acts of the Thirtieth General Assembly, and to enact a substitute herefor relating to the limit of indebtedness of municipal corporations.

Also:

House file No. 171, a bill for an act to amend section two thousand fifty-two (2052) of the code relating to the collection of fees in the office of the Secretary of State.

Also:

House file No. 257, a bill for an act to amend the law as it appears in section seventeen hundred nine (1709) of the supplement to the code relating to insurance.

Also:

House file No. 275, a bill for an act to amend section seven hundred twenty-two (722) of the code, relative to the condemnation of property by cities and towns, for the purpose of constructing and maintaining dams across the water courses of the state, in forming reservoirs and sources of water to supply water works or plants.

Also:

House file No. 301, a bill for an act to amend section four hundred ninety-

four as the same appears in the supplement to the code, relating to the place of bringing actions.

D. W. TURNER,
Chairman Senate Committee.
H. L. SPAULDING,
Chairman House Committee.

Ordered passed on file.

Senator Jamison moved that the Senate do now adjourn.

Carried.

Senate stood adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M. President Herriott presiding.

On request of the President leave of absence was granted Senator Hartshorn until tomorrow.

THIRD READING OF BILLS.

Substitute for Senate file No. 7, a bill for an act to amend section thirty-four hundred ninety-six (3496) of the code relating to the jurisdiction of justices of the peace and their courts which was under consideration March 17 was taken up and considered.

Senator Warren moved that the rule be suspended, and that the bill be considered engrossed, and read a third time, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gillilland, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stuckslager Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Calhoun, Young of Washington—35.

The nays were:

None.

Absent or not voting:

Bruce, Crawford, Gale, Garst, Harper, Hartshorn, Hogue, Maytag, Molsberry, Newberry, Stookey, Taylor, Turner, Winne, Young of Lee—15.

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

Senate file No. 337, a bill for an act amending section twenty-one hundred twenty-six (2126) of the code relative to railway rates was taken up and considered.

Senator Smith of Mitchell, moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed,and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—42.

The nays were:

None.

Absent or not voting:

Dowell, Gale, Hartshorn, Hogue, Jones, Molsberry, Stookey, Taylor—8.

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

Senate file No. 336, a bill for an act to amend section thirteen hundred twenty-two (1322) of the code, relating to the taxation of national, state and savings banks and the shares of stock therein, was taken up and considered.

Senator Hayward moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Ericson, Garst, Gillilland, Hayward, Hopkins, Hughes, Jackson, Jamison, Kimmel, Lewis, Newberry, Saunders,

Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Calhoun, Young of Washington—31.

The nays were:

Crawford, Elerick, Hasselquist, Jones, Kinne, Lambert, Lyons, Maytag, Wilson of Clinton, Young of Lee—10.

Absent or not voting:

Gale, Harper, Hartshorn, Hogue, Molsberry, Stookey, Stuckslager, Taylor, Turner—9.

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

House file No. 338, a bill for an act to secure in matters of religious instruction a free exercise of religious preference to all inmates to state, county and city institutions maintained for the detention of persons held to committal or confinement in any penal, correctional, charitable or educational institution or other place of confinement maintained and supported by public funds, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Jackson offered the following amendment and moved its adoption.

Amend the bill by striking out of section three (3) all after the word "such" in the fourth line down to the word "but" in the eighth line.

Adopted.

Senator Jackson moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

Senator Bruce moved that the vote by which the bill passed to its third reading be reconsidered.

Carried.

Senator Garst moved that the bill be referred to a special committee of five.

Carried.

The President appointed as such committee Senators Newberry, Dunham, Lyons, Warren, Jackson.

INTRODUCTION OF BILLS.

By Senator Young of Calhoun, Senate file No. 340, a bill for an act to legalize the acts done and the ordinances and resolutions passed by the town council of Manson, Calhoun county, Iowa.

Read first and second time and referred to Sifting committee.

REPORTS OF COMMITTEE.

Senator Courtright, 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. 186 a bill for an act to repeal section four hundred sixteen (416) of the code of Iowa relating to supervisors' districts and to enact a substitute therefor providlng for the election of supervisors for the county at large, 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 further than that it be referred to the Sifting committee.

O. B. COURTRIGHT,
Chairman.

Adopted.

Also:

MR. PRESIDENT—Your committee on Cities and Towns to whom was referred Senate file No. 85 a bill for an act making section thirteen hundred and five (1305) of the code supplement applicable to cities incorporated under special charters; and to provide that in such cities the rate of taxation for municipal purposes may be proportionately increased, 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 same be indefinitely postponed.

O. B. COURTRIGHT,
Chairman.

Adopted.

So the bill was idefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Cities and Towns to whom was referred Senate file No. 297 a bill for an act to amend the law as it appears in section six hundred seventy-nine-a (679-a) of the supplement to the code relating to board of police and fire commissioners in cities of the first class, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

O. B. COURTRIGHT,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Courtright, from the special committee on Tenure of Office submitted the following report:

MR. PRESIDENT—Your committee on Tenure of Office to whom was referred House file No. 364 a bill for an act to repeal section one thousand sixty-eight (1068) of the code and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by adopting the substitute herewith returned in lieu thereof and when so amended the bill do pass.

O. B. COURTRIGHT,
Chairman.

Adopted.

SUBSTITUTE FOR HOUSE FILE NO. 364.

A BILL for an act to repeal section one thousand sixty-eight (1068) of the code relative to railroad commissioners, and to enact a substitute therefor.

Be it enacted by the General Assembly of the State of Iowa:—

Section 1. Section one thousand sixty-eight (1068) of the code is hereby repealed, and the following enacted in lieu thereof:—

At the general election in the year 1906 there shall be elected general-road commissioner for the term of four years, and one for the term of six years and at the general election in the year 1908 and biennially thereafter there shall be elected one railroad commissioner whose term of office shall be for a period of six years, and the present incumbents of the office of railroad commissioners shall continue in office until their successors are elected and qualified.

The substitute was read first and second time and passed on file.

Also:

M. PRESIDENT—Your committee on Tenure of Office to whom was referred Senate file No. 253, 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 further than that it be referred to the sifting committee.

O. B. COURTRIGHT,
Chairman.

Adopted.

Also:

MR. PRESIDENT—Your committee on Tenure of Office to whom was referred House file No. 334 a bill for an act to repeal section one thousand seventy-two (1072) of the code, and to enact a substitute therefor, relating

to the term of office of 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 same be amended as follows:

Insert before the first word of the bill the following:—

"Section 1."

Strike out of the fourth line of the bill the following:— .

"Section 1072", and when so amended the bill do pass.

O. B. COURTRIGHT,
Chairman.

Adopted.

INTRODUCTION OF BILLS.

By Senator Courtright from the committee on Tenure of Office. Senate file No. 341, a bill for an act to repeal section ten hundred seventy-four (1074) of the code relative to township trustees, and to enact a substitute therefor.

Read first and second time and referred to Sifting Committee.

By Senator Courtright from the committee on Tenure of Office. Senate file No. 342, a bill for an act to repeal section four hundred eleven (411) of the code relative to the board of supervisors, and to enact a substitute therefor.

Read first and second time and referred to Sifting Committee.

By Senator Warren, Senate file No. 343, a bill for an act to amend section twenty-six hundred thirty-four-a (2634-a) of the supplement to the code relative to the expenditures of the educational board of examiners.

Read first and second time and referred to Sifting Committee.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT:—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate file No. 61, a bill for an act to repeal the law as it appears in section seven hundred thirty-two (732) of the supplement to the code, and to repeal chapter thirty-eight (38) of the laws of the Thirtieth General Assembly and to enact substitutes therefor, relative to the levy of taxes for library purposes.

Also:

Senate file 64, a bill for an act to repeal the law as it appears in section twenty-five hundred eighty-nine (2589) of the supplement to the code, and section twenty-five hundred ninety (2590) of the code, and to enact a substitute therefor, relative to the examination of pharmacists and their assistants.

Also:

Senate file No. 142, a bill for an act to amend the law as it appears in section twenty-seven hundred twenty-seven-c (2727-c) of the supplement to the code relating to salaries.

Also:

Senate file No. 213, a bill for an act to authorize the revocation and cancellation of a patent issued for the west half of the northwest quarter of section one (1) township seventy-four (74) north of range seventeen (17) west of the fifth principal meridian, Mahaska county, Iowa, and to authorize the issuance of patent covering the north half of the northwest quarter of section eleven (11) township seventy-four (74) north of range seventeen 17) west of the fifth principal meridian, Mahaska county, Iowa.

D. W. TURNER,
Chairman.

THIRD READING OF BILLS.

Senate file No. 334, a bill for an act to require operators of creameries to pasteurize skimmed milk before delivering the same to any person and providing a penalty for violation thereof, was taken up and considered.

President pro tem Smith was called to the chair at 3:15 P. M.

Senator Brooks moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Dunham, Eckles, Ericson, Garst, Gilliland, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Kimmel, Kinne, Lambert, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Mitchell, Stirton, Stuckslager, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Calhoun, Young of Washington—35.

The nays were:

Hasselquist, Spaulding—2.

Absent or not voting:

Crossley, Dowell, Elerick, Gale, Harper, Hartshorn, Jones, Lyons, Stookey, Taylor, Turner, Young of Lee, Smith of Mitchell—13.

So the bill having received a constitutional majoritiy was declared to have passed the Senate and its title agreed to.

Senate file No. 315, a bill for an act to provide that life insurance companies may transact health, accident and employers liability insurance, was taken up and considered.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Ericson, Garst, Gillilland, Harper, Hasselquist, Hayward, Hughes, Jackson, Jamison, Kimmel, Lambert, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Mitchell, Stirton, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Calhoun, Young of Washington—34.

The nays were:

None.

Absent or not voting:

Bleakly, Brooks, Elerick, Gale, Hartshorn, Hogue, Hopkins, Jones, Kinne, Lyons, Smith of Des Moines, Spaulding, Stookey, Taylor, Wade, Young of Lee—16.

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

House file No. 203, a bill for an act to amend section four hundred ninety-eight (498) of the code, relative to county recorders making a record of fees charged, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Hopkins moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Conrtright, Crawford, Dowell, Dunham, Eckles, Ericson, Garst, Gillilland, Harper, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des

Moines, Smith of Mitchell, Stirton, Stuckslager, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—38.

The nays were:

None.

Absent or not voting:

Brooks, Crossley, Elerick, Gale, Hartshorn, Hogue, Kinne, Molsberry, Spaulding, Stookey, Taylor, Turner—12.

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

Substitute for House file No. 167, a bill for an act relating to fish and game and making an appropriation for the Fish and Game Commission of the State of Iowa, with report of committee recommending a substitute and passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent the substitute recommended by the committee was withdrawn.

The Chair anonunced the Senate is in committee of the whole.

The Chair announced the Senate as in regular session.

The Chair announced that the Committee of the Whole recommended the adoption of the following amendments:

Strike out all after the enacting clause and insert in lieu thereof the following:

Section 1. That there is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, for the Fish and Game Commission, for the State of Iowa, the sum appearing hereinafter, or so much thereof as may be necessary to be expended for the purpose expressed, viz:-

First. For the protection of Fish and Game and payment of deputy warden and salary of assistant, the sum of thirty-five hundred dollars ($3,500.)

Second. For gathering Fish at Sabula for distribution, and repairs on State Fish car Hawkeye, the sum of fifteen hundred dollars ($1,500.)

Making a total appropriation of fiive thousand dollars, ($5000.)

Section 2. Any unexpended balance of money hereby appropriated and not required for the purpose mentioned, shall be returned to the State Treasury.

Senator Lyons moved the adoption of the amendments recommended by the Committee of the Whole.

Adopted.

Senator Garst moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Dowell, Eckles, Ericson, Garst, Gillilland, Harper, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Kinne, Lambert, Lyons, Maytag, Newberry, Saunders, Smith of Mitchell, Spaulding, Stirton, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Calhoun, Young of Washington—37.

The nays were:

None.

Absent or not voting,

Crossley, Dunham, Elerick, Gale, Hartshorn, Jones, Kimmel, Lewis, Molsberry, Stookey, Taylor, Young of Lee, Smith of Des Moines—13.

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

Senator Dowell moved that the Senate do now adjourn.

Carried.

Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, March 31, 1906.

Senate met in regular session at 9 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. A. J. Haggett of Des Moines, Iowa.

On request of Senator Courtright leave of absence was granted Senator Hasselquist until Monday.

PETITIONS AND MEMORIALS.

Senator Young of Calhoun presented petition of constituents favoring the passage of House file No. 183, relating to exemptions.

Referred to Sifting committee.

Senator Bleakly presented petition of forty-three business firms of LeMars, Iowa, favoring proposed exemption law.

Referred to Sifting committee.

Senator Stuckslager presented three petitions of merchants and business men of his district urging the passage of the proposed exemption law as set forth in House file No. 183.

Referred to Sifting committee.

Senator Young of Lee presented petition of seventy-five merchants and business men of Keokuk, Iowa, favoring the passage of the proposed exemption law.

Referred to Sifting committee.

Senator Maytag presented two petitions of merchants of Kellogg and Colfax, urging the passage of the proposed exemption law.

Referred to Sifting committee.

Senator Young of Washington presented petition of seventy merchants of his district, favoring the passage of the proposed "Anti-discrimination Oil bill."

Referred to Sifting committee.

Senator Courtright from the committee on Federal Relations offered the following concurrent resolution and moved its adoption:

CONCURRENT RESOLUTION.

Resolved by the Senate, the House concurring,

WHEREAS, It appears from the investigation recently made by the Senate of the United States, and otherwise, that polygamy still exists in certain places in the United States notwithstanding prohibitory statutes enacted by the several states thereof, and

WHEREAS, The practice of polygamy is generally condemned by the people of the United States and there is a demand for the more effectual prohibition thereof by placing the subject under the Federal jurisdiction and control, at the same time reserving to each state the right to make and enforce its own laws relating to marriage and divorce: now, therefore

Resolved, the House concurring, That application be and hereby is made to Congress under the provisions to article five of the constitution of the United States for the calling of a convention to propose an amendment to the constitution of the United States whereby polygamy and polygamous cohabitation shall be prohibited and congress shall be given power to force such prohibition by appropriate legislation.

Resolved, That the legislatures of all other states of the United States, now in session or when next convened, be and they are hereby respectfully requested to join in this application by the adoption of this or an equivalent resolution.

Resolved Further, That the secretary of the State be and he hereby is directed to transmit copies of this application to the Senate and House of Representatives of the United States, and to the several members of said body representing this State therein, also to transmit copies hereof to the legislatures of all other states of the United States.

Adopted.

HOUSE MESSAGES CONSIDERED.

House file No. 231, a bill for an act providing that owners of stallions and jacks shall have a lien for the service fee of said animals upon the female served and upon the get thereof; and providing punishment for willful destruction, concealment, sale, or other disposition of such female or get during the existence of such lien.

Read first and second time and referred to Sifting committee.

House file No. 394, a bill for an act to regulate and validate the submission of questions to be voted on by the electors of cities and towns at regular municipal elections, and to legalize proceedings heretofore had thereunder or thereafter to be had thereunder, the same being additional to title five (5) of the code.

Read first and second time and referred to Sifting committee

House file No. 297, a bill for an act granting a right-of-way through lands owned by the State of Iowa to and about the Iowa State College of Agriculture and Mechanic Arts at Ames, Story county, Iowa, to the Ft. Dodge, Des Moines & Southern Railway Company, its successors or assigns, with certain conditions, and conferring upon the executive council of the State of Iowa certain powers in reference.

Read first and second time and referred to Sifting committee.

Senator Dunham from the Special committee appointed to investigate the standing and solvency of bonding surety companies submitted the following report:

MR. PRESIDENT—Your special committee appointed, under concurrent resolution to investigate the standing and solvency of bonding surety companies, and the laws relating thereto, doing business within the state and make such report and suggestions for further legislation to control same, beg leave to submit the following:

We find bond and surety companies are furnishing fiduciary bonds in a great number of the different States of the Union. The statutes of different states authorizing such companies to do business are in most instances special statutes having reference only to the subject of surety business.

Most of said laws providing that surety companies organized with a paid up capital of $250,000 and a deposit of approved securities with the Insurance Commissioner or Auditor of State of $100,000 for the benefit of those indemnified, are authorized to do business in the several states on filing with the Auditor of State or Commissioner a certificate showing their compliance with such laws. In this state such companies are authorized to do business under chapter four (4), title nine (IX) of the code, and section seventeen hundred nine (1709) of the supplement to the code paragraph two (2). Section seventeen hundred twenty-one (1721) of the code, when such company is a foreign company, authorizes it to do business when it possesses $200,000 of actual paid up capital exclusive of any deposit made in any other state for the assured of that State.

The existing laws of this state do not require a deposit for foreign companies in this state but provide that the certificate to be issued by the Auditor authorizing it to do business in this state may be revoked whenever upon examination or otherwise it may appear to the satisfaction of the Auditor that the affairs of such companies are in an unsound condition. Foreign bond companies being treated in this respect the same as foreign insurance companies doing business in this state.

Chapter fifty-six (56) of the Thirtieth General Assembly authorized the biennial examination of the affairs of any insurance company authorized or seeking to be authorized to transact business within this state; and further conveys authority to revoke the certificate of any company insolvent or in an unsound condition or that refused or neglected for more than thirty days to pay final judgment rendered against it in the courts of this state.

The code provides that any company engaged in business of becoming sureties upon bonds shall on compliance with the statute obtain a certificate from the State Auditor that it has complied with the law and is authorized to do business in the State and shall file the same with the Clerk of the District Court and thereupon said company shall be accepted and approved by the Clerk upon any bond required by law except in criminal cases but shall not be acccpted on any bond for an amount in excess of ten per cent of the paid up capital of such bond company.

But no specific provision is made in this statute for the allowance to the person furnishing bonds for the costs thereof either where the sureties are private persons or bond companies.

We find the practice throughout the state varies in the matter of taxing the expenses of the bonds as costs. Some courts holding that the law is now sufficient to authorize such action and others holding the contrary.

On investigation we find that there are at the present time thirteen foreign companies doing business in this State having complied with its laws and received certificate from the State Auditor thereunder.

While the impression prevailed to some extent that these companies were insolvent and had failed in many instances to pay judgment obligations obtained in the State against them, we find the facts do not warrant this general belief as is more fully stated by the State Auditor in a letter written by him in answer to an inquiry made to him through this committee. His letter being incorporated herein as part of this report.

January 22, 1906,

Hon. A. F. N. Hambleton, House of Representatives:

DEAR SIR—In compliance with your request of the 22nd instant, I have the honor to inform you that the ollowing is a correct list of the fidelity and surety companies now authorized to transact business in this State:

Aetna Indemnity Company, Hartford, Connecticut.
American Bonding Company, Baltimore, Maryland.
American Surety Company, of New York, New York.
Bankers Surety Company, Cleveland, Ohio.
Federal Union Surety Company, Indianapolis, Indiana.
Fidelity & Casualty Company, of New York, New York.
Fidelity & Deposit Company of Maryland, Baltimore, Maryland.
Guarantee Company of North America, Montreal, Canada.
National Surety Company, New York.
Title Guaranty & Trust Company, Scranton, Pennsylvania.
United States Fidelity & Guaranty Company, Baltimore, Maryland
Empire State Surety Company, Brooklyn, New York.
Illinois Surety Company, Chicago, Illinois.

With this list I take pleasure in transmitting to you a copy of my latest published report on insurance other than life, in which you will find, set out upon the pages given in the index, the annual statements of each of the above named companies, except the last two named, which were authorized to transact business in this state during the year 1905, and whose annual statements do not, for that reason, appear in my published report. The following are statements of the assets of the said companies:

Empire State Surety Company, Brooklyn, N. Y., cash capital $250,000; admitted assets December 31, 1904, $698,677.99.

Illinois Surety Company, Chicago, Illinois, cash capital $250,000 admitted assets September 30, 1905, $289,777.05.

It having come to the knowledge of this department that there was some complaint in certain portions of the state as to the manner in which some of the surety companies, doing business in Iowa, were settling their losses I addressed the following letter, on November 21, 1905, to each of the clerks of the district courts of this state:

DEAR SIR—Desiring to be fully advised whether or not the fidelity and surety companies, doing business in this state, settle claims against them with reasonable promptness, I shall be greatly obliged to you if you will kindly inform me if the records of your office show any unpaid judgments, against such companies, from which the right of appeal has expired. Please give title of case and date of rendition on judgment,

I enclose self-addressed envelope for reply.

Respectfully,
B. F. CARROLL,
Auditor of State."

All of said officials have now answered said letter with the following results: Ninety-two counties reported through their clerks that there were no unpaid judgments, from which rights of appeal had expired, appearing on record in said counties. The counties reporting such unpaid judgments were Black Hawk, Cherokee, Fayette, Keokuk, Linn, Polk and Wayne. The unpaid judgments reported from Fayette county and one of the unpaid judgments reported from Polk county were against the Union Surety and Guarantee Company of Philadelphia, whose certificate I revoked on January 19, 1904, and which company shortly afterwards was placed in the hands of receivers. Mr. Alexander W. De Haven, Girard Building, Philadelphia, Penn., is the receiver of said company; and the Superintendent of Insurance of the State of Pennsylvania advises me that said receiver has considerable money in his hands for distribution of which fact I have advised the attorneys interested in the two judgments mentioned. The other judgments were against solvent companies now doing business in this state.

I immediately took up the matter of the payment of these judgments with such companies and received prompt replies containing in every instance fairly good reasons why the judgments had not been paid.

I have since been advised by the clerks of the district courts of Black Hawk, Cherokee, Keokuk, Linn, Polk and Wayne counties that the judgments reported by them against the companies now doing business in this state have been paid.

The letters from the clerks of the district courts, herein referred to, are now on file in my office and your inspection of the same is respectfully invited, should you so desire

Yours very truly,
B. F. CARROLL,
Auditor of State.

While it might seem to some advisable to enact a special statute regarding the business of bond and surety companies as has been done in many of the states and hereby require them to make deposit for the security of the insured in this state, such deposit to be made either in state or as required by the statutes of other states in the office of the Insurance Commissioner or Auditor of State wherein such company is organized. It is our opinion, that there is no more reason for requiring different legislation regarding bond companies than for government of insurance companies. The same general statute of this state applying to each. Unless deposit is required of foreign insurance companies it would seem inequitable to require such additional security from bond companies, and under our law, which provides for examinations by the State Auditor and a revocation of certificate whenever by examination or otherwise he is not satisfied with the solvency of the company. It is our opinion that a deposit by the company would be unnecessary. Yet in view of the different practices of the state courts in reference to the allowance for costs of the bond and also to provide for the Auditor's obtaining early and complete knowledge of the delinquincies of such companies we would recommend that a bill be passed authorizing reasonable amount to be charged as costs in favor of the person furnishing bond to pay the costs thereof whether the sureties thereof be private persons or surety companies, and that a further law be passed requiring the clerks of District Courts to make notation on the page of the record wherein the certificates of the bond company authorized to do business in the county of any judgment entered against such company by reference to the judgment docket page and date where such judgment was entered and when such judgment became final and remains unpaid for more than thirty days requiring the clerk to notify the Auditor of State of such fact and authorizing the clerk thereof to refuse to accept said company as surety until such judgment is paid.

We believe the foregoing recommendations will meet the pressing needs and be sufficient until such time as the legislature sees fit to recodify the general insurance laws of the state.

Respectfully submitted,
GEO. W. DUNHAM,
JAS. E. BRUCE,
A. F. N. HAMBLETON,
WILL C. WHITING,
D. W. DOW,
Committee

Ordered passed on file.

The Journal of the 29th, was taken up, corrected and approved.

House joint resolution No. 1, a joint resolution proposing an amendment to the constitution of the state of Iowa, additional to section eighteen (18) of article one (1) of said constitution, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

HOUSE JOINT RESOLUTION NO. 1.

JOINT RESOLUTION proposing an amendment to the constitution of the state of Iowa, additional to section eighteen (18) of article one (1) of said constitution.

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

That there be added to section eighteen (18) of article one (1) of the constitution of the State of Iowa, the following:

"The General Assembly, however may pass laws permitting the owners of land to construct drains, ditches, and levees for agricultural, sanitary, or mining purposes across the lands of others, and provide for the organization of drainage districts, vest the proper authorities with power to construct and maintain levees, drains and ditches and to keep in repair all drains, ditches and levees heretofore constructed under the laws of the State, by special assessments upon the property benefitted thereby. The General Assembly may provide by law for the condemnation of such real estate as shall be necessary for the construction and maintenance of such drains, ditches and levees, and prescribe the method of making such condemnation."

Resolved, further That the foregoing proposed amendment to the constitution of the state of Iowa be, and the same is hereby, referred to the legislature to be chosen at the next general election for members of the General Assembly, and that the Secretary of State cause the same to be published for three (3) months previous to the day of such election as provided by law.

Senator Jamison moved that the rule be suspended, the joint resolution be considered engrossed and read a third time now, and that said resolution be printed in the Journal immediately preceding the record of the call of the yeas and nays on the passage of the said resolution.

The motion prevailed and the joint resolution was read a third time.

On the question, Shall the following joint resolution pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Gillilland, Harper, Hartshorn, Hayward, Hopkins, Hughes, Jackson, Jamison, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, New-

berry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stuckslager, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Washington—38.

The nays were:

None.

Absent or not voting:

Bruce, Garst, Hasselquist, Hogue, Jones, Saunders, Stookey, Taylor, Turner, Whipple, Winne, Young of Calhoun—12.

So the joint resolution passed and the title was agreed to.

House file No. 306, a bill for an act to amend section forty-one hundred fourteen (4114) of the code relating to notice of appeal was taken up and considered.

Senator Jamison moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Hartshorn, Hayward, Hughes, Jackson, Kimmel, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Spaulding, Stirton, Stuckslager, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Bruce, Harper, Hasselquist, Hogue, Hopkins, Jamison, Jones, Kinne, Saunders, Stookey, Taylor, Turner, Smith of Mitchell, Young of Calhoun—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title agreed to,

House file No. 338, a bill for an act to secure in matters of religious instruction a free exercise of religious preference to all inmates to state, county and city institutions maintained for the detention of persons held to committal or confinement in any

penal, correctional, charitable or educational institution or other place of confinement maintained and supported by public funds, was taken up and considered.

Senator Newberry offered the following amendment and moved its adoption:

Amend section three (3) by striking out all that part of said section after the period in the fourth line to the word "it" in the eleventh line.

Adopted.

Senator Newberry moved that the rule be suspended and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Harper, Hartshorn, Hayward, Hopkins, Hughes, Jackson, Jamison, Kimmel, Kinne, Lambert, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington —39.

The nays were:

Ericson, Maytag—2.

Absent or not voting:

Brooks, Gale, Garst, Gillilland, Hasselquist, Hogue, Jones Stookey, Taylor—9.

So the bill having received a constitutional majority was declared to have passed the Senate and its title 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 recedes from its amendments to joint resolution No. 4, in which the concurrence of the Senate was asked:

Joint resolution setting aside room No. twenty-seven (27) in the State Capitol building for the use of newspaper publishers, reporters and correspondents.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill, in which the concurrence of the House was asked:

Senate file No. 12, a bill for an act making it unlawful for any steam railway or interurban railway doing business within the state, or any officer, agent or representative thereof, to issue, give or offer to any city, county, district or state officer, including judges and members of the General Assembly, or to any delegate to a political convention to use in attending such convention or return therefrom, or to any member of any political committee or employe thereof, or any candidate for a city, county, district or state office, or to jurors in state or federal courts, any free pass, ticket or other privilege at rates less than charged the public, and prohibiting any city, county, district or state officer, and any delegate to a county, district or state political convention, and any candidate for a county, district or state office, and any member of any political committee or any employe thereof, and any juror in state and federal courts, to request or use any such free pass, ticket or priyilege, sold or conferred at a less rate than the rate charged the public, over any steam railroad or interurban railroad, and providing a penalty therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has failed to pass the following bill in which the concurrence of the House was asked:

Senate file No. 47, a bill for an act to amend section forty-seven (47) of the code relative to the compensation of newspapers for the publication of laws.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate file No. 275, a bill for an act making an appropriation for the equipment of a laboratory for the office of the Food and Dairy Commissioner.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 359, a bill for an act to amend section ten hundred sixty (1060) of the code and to repeal section ten hundred seventy-four (1074) of the code and enact a substitute therefor and relating to elections and terms of township trustees.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 35, a bill for an act to amend section fifty-seven hundred sixteen (5716) of the code and to provide for the compensation of the chaplains of the penitentaries.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 360, a bill for an act to provide for the establishment of a course of practical and scientific instruction and investigation in the art of clay working and ceramics including the manufacture and use of cements and allied industries in the Iowa State College of Agriculture and Mechanic Arts.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 152, a bill for an act to provide for the publication of municipal accounts and to establish a uniform system of accounts, reports and audit in cities and towns.

C. R. BENEDICT,
Chief Clerk.

President pro tem Smith was called to the chair at 9:30 o'clock A. M.

HOUSE MESSAGES CONSIDERED.

House amended and passed Senate file No. 152, a bill for an act to provide for the publication of municipal accounts and to establish a uniform system of accounts, reports and audit in cities and towns.

THIRD READING OF BILLS.

Senate file No. 152, a bill for an act to provide for the publication of municipal accounts and to establish a uniform system of accounts, reports and audit in cities and towns, amending the law as it appears in sections seven hundred forty-one-a (741-a), seven hundred forty-one-b (741-b) and seven hundred forty-one-c (741-c) of the supplement to the code, was taken up and considered.

Senator Dunham moved that the Senate concur in the following House amendment:

Strike out section nine (9), publication clause.

On the question, Shall the House amendments be concurred in?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hayward, Hopkins, Hughes, Jackson, Kimmel, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stuckslager, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Calhoun, Young of Washington—40.

The nays were:

None.

Absent or not voting:

Hasselquist, Hogue, Jamison, Jones, Kinne, Stookey, Taylor, Turner, Wade, Young of Lee—10.

So the House amendment was concurred in.

Senate file No. 220, a bill for an act amendatory to chapter six (6), title three (3) of the code extending the jurisdiction of superior courts in cities which are not county seats, and which have now, or may hereafter have, a population of twenty-five thousand or more; providing for changes of venue from superior courts in such cities; providing for trial by jury in superior courts in such cities; providing for the number of jurors in such courts in such cities and the manner of their selection; providing the manner of making judgments of courts in such cities liens upon real estate; providing that sales of real estate may be made on process issued out of such courts in such cities; providing for

the recording of such sales and the execution of deeds made pursuant to such sales; providing that the filing of petitions in such courts in such cities which affect real estate shall charge third persons with notice of the pendency of the action upon filing a notice of pendency; providing for the salary of the judge of the superior courts in such cities; providing for the compensation of the shorthand reporter of such court in such cities; and providing that the act shall apply to cities acting under special charter, with report of committee recommending a substitute and passage was taken up, considered, and the report of committee, adopted.

The substitute was read for information.

Senator Stuckslager moved that the substitute recommended by the committee be substituted for the original bill.

Carried,

President Herriott resumed the chair at 10 o'clock A. M.

Senator Stuckslager moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hayward, Hughes, Jackson, Jamison, Kimmel, Kinne, Lambert, Lewis, Molsberry, Newberry, Saunders, Smith of Mitchell, Spaulding, Stirton, Stuckslager, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—38.

The nays were:

Bleakly—1.

Absent or not voting:

Hasselquist, Hogue, Hopkins, Jones, Lyons, Maytag, Stookey, Taylor, Turner, Wade, Smith of Des Moines—11.

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

HOUSE MESSAGES CONSIDERED.

Senate file No. 12, a bill for an act making it unlawful for any steam railway or interurban railway doing business within the state, or any officer, agent or representative thereof, to issue,

give or offer to any city, county, district or state officer, including judges and members of the General Assembly, or to any delegate to a political convention to use in attending such convention or return therefrom, or to any member of any political committee or employe thereof, or any candidate for a city, county, district or state office, or to jurors in state or federal courts, any free pass, ticket or other privileges at rates less than charged the public, and prohibiting any city, county, district or state officer, and any delegate to a county, district or state political convention, and any candidate for a county, district or state office, and any member of any political committee or any employee thereof, and any juror in state or federal courts, to request or use any such free pass, ticket or privilege, sold or conferred at a less rate than the rate charged the public, over any steam railroad or interurban railroad, and providing a penalty therefor.

By unanimous consent Senate file No. 12, a bill for an act making it unlawful for any steam railway or interurban railway doing business within the state, or any officer, agent or representative thereof, to issue, give or offer to any city, county, district or state officer, including judges and members of the General Assembly, or to any delegate to a political convention to use in attending such convention or return therefrom, or to any member of any political committee or employe thereof, or any candidate for a city, county, district or state office, or to jurors in state or federal courts, any free pass, ticket or other privilege at rates less than charged the public, and prohibiting any city, county, district or state officer, and any delegate to a county, district or state political convention, and any candidate for a county, district or state office, and any member of any political committee or any employee thereof, and any juror in state or federal courts, to request or use any such free pass, ticket or privilege, sold or conferred at a less rate than the rate charged the public, over any steam railroad or interurban railroad, and providing a penalty therefor, was taken up and considered.

Senator Hughes moved that the following House amendments be concurred in:

Amend the title by striking out the word "or" at the end of the third line and by inserting the words "or Federal" between the words "state" and "officer" in the fourth line; by striking out the word "or" at the beginning of the eighth line and by inserting the words "or federal" after the word "state" and before the word "office" in the eighth line; by striking

out the word "or" in the tenth line and by inserting the words "or federal" after the word "state" and before the word "officer" in the tenth line; and by striking out the word "or" in the twelfth line, by inserting the words "or federal" after the word "state" and before the word "office" in the twelfth line; all line numbers referring to the bill as it appears on page 1076 of the Journal of the House.

Amend section one (1) as follows:

Strike out "or" before "state" in third line and insert words "or federal" after "state".

Also amend same section by striking out "or" in seventh line before "state" and inserting "or federal" before "office" at beginning of eighth line.

Amend section two (2) as follows: By striking out the word "or" after "district" in first line and inserting after the word "state", "or federal".

And by striking out "or" before the word "state" in third line thereof and insert after "state", the words "or federal".

All line numbers referring to the bill as it appears on page 1066 of the Journal of the House.

On the question, Shall the House amendments be concurred in?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hayward, Hogue, Hopkins, Hughes, Jackson, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—43.

The nays were:

Jamison—1.

Absent or not voting:

Crawford, Hasselquist, Jones, Stookey, Taylor, Wade—6.

So the House amendments were concurred in.

Senator Hughes moved that the following House amendment be concurred in:

Section 8. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader, and the Des Moines Daily Capital, newspapers published in the city of Des Moines, Iowa.

On the question, Shall the House amendment be concurred in?

The yeas were:

Courtright, Crossley, Dowell, Garst, Gillilland, Hartshorn, Hughes, Lewis, Molsberry, Newberry, Stirton, Turner, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun—17.

The nays were:

Bleakly, Brooks, Bruce, Dunham, Eckles, Elerick, Ericson, Gale, Harper, Hayward, Hogue, Hopkins, Jackson, Jamison, Kimmel, Kinne, Lambert, Lyons, Maytag, Saunders, Smith of Des Moines, Smith of Mitchell, Stuckslager, Warren, Young of Washington—25.

Absent or not voting:

Crawford, Hasselquist, Jones, Spaulding, Stookey, Taylor, Wade, Winne—8.

So the House amendment was not concurred in.

HOUSE MESSAGES CONSIDERED.

House recedes from its amendment to joint resolution No. 4, setting aside room twenty-seven in the State Capitol Building for the use of newspaper publishers, reporters and correspondents.

Ordered passed on file.

House failed to pass Senate file No. 47, a bill for an act to amend section forty-seven (47) of the code, relative to the compensation of newspapers for the publication of laws.

Ordered passed on file.

House indefinitely postponed Senate file No. 275, a bill for an act making an appropriation for the equipment of a laboratory for the office of the Food and Dairy Commissioner.

Ordered passed on file.

House file No. 359, a bill for an act to amend section ten hundred sixty (1060) of the code and to repeal section ten hundred seventy-four (1074) of the code and enact a substitute therefor relating to elections and terms of township trustees.

Read first and second time and referred to Sifting committee.

Senate file No. 35, a bill for an act to amend section fifty-seven hundred sixteen (5716) of the code and to provide for the compensation of the chaplains of the penitentaries.

Ordered passed on file.

House file No. 360, a bill for an act to provide for the establishment of a course of practical and scientific instruction and investigation in the arts of clay working, and ceramics, including the manufacture and use of cements and allied industries in the State College of Agriculture and Mechanic Arts.

Read first and second time and referred to Sifting committee.

By Senator Garst from the Appropriations committee, Senate file No. 343.

A BILL for an act making appropriations for the Iowa State College of Agriculture and Mechanic Arts, the State University, and the State Normal School.

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

Section 1. There is hereby appropriated out of any money in the State treasury, not otherwise appropriated, to the Iowa State College of Agriculture and Mechanic Arts the sum of thirty-six thousand five hundred dollars ($36,500) annually hereafter for the following purposes:

For general support	$25,000.00
For support of engineering department station	3,500.00
For purchase of books and periodicals	3,000.00
For good roads experimentation	5,000.00

There is further appropriated to the Iowa State College of Agriculture and Mechanic Arts out of any money in the State treasury, not otherwise appropriated, the sum of twenty-six thousand dollars ($26,000) for the following purposes:

For equipment of college departments	$ 5,000.00
For buildings and equipment of dairy farm and poultry plant	10,000.00
For purchase of additional land	11,000.00

Section 2. There is hereby appropriated to the State University out of any money in the state treasury, not otherwise appropriated the sum of twenty thousand dollars ($20,000) annually hereafter for the following purpose:

For increase of support fund	$20,000.00

There is further appropriated to the State University out of any money in the State treasury, not otherwise appropriated, the sum of one hundred nine thousand dollars ($109,000) for the following purposes:

For purchase of additional land	$24,000.00
For additional wing for University hospital	20,000.00
For engineering shops, hydraulic power house, power connections with dam and equipment	30,000.00
For equipment of Natural Science building	16,000.00
For general equipment and supplies	8,000.00
For paving and sidewalks	2,500.00
For support of libraries	5,000.00
For a new boiler	3,500.00

Section 3. There is hereby appropriated to the State Normal School out of any money in the State treasury, not otherwise appropriated, the sum of six thousand dollars ($6,000) annually hereafter for the following purposes:

For payment of teachers	$ 5,000.00
For summer term	1,000,00

There is further appropriated to the State Normal School out of any money in the State treasury, not otherwise appropriated, the sum of six thousand dollars ($6,000) for the following purposes:

For librarian and two assistants	$ 2,000.00
For library	2,500,00
For paving, permanent walks, and improvement of grounds	1,500.00

Section 4. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

Read first and second time and ordered printed in the Journal.

THIRD READING OF BILLS.

House file No. 129, a bill for an act providing for the care and permanent preservation of the public archives, and making an appropriation therefor, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

The President announced that the Committee of the Whole recommended the following amendments:

Amend lines three (3) and four (4) of section five (5) of the original bill by changing the reading "five thousand dollars ($5,000) per annum for one year" to "two thousand dollars ($2,000) per annum for three years."

Senator Garst moved the adoption of the amendments recommended by the Committee of the Whole.

Adopted.

Senator Garst moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hayward, Hogue, Hughes, Jackson, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of DesMoines, Smith of Mitchell, Spaulding, Stirton, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee. Young of Washington—40.

The nays were:

None.

Absent or not voting:

Hartshorn, Hasslequist, Hopkins, Jamison, Jones, Stookey, Stuckslager, Taylor, Wade, Young of Calhoun—10.

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

On request of Senator Newberry, leave of absence was granted Senator Dunham the rest of the day.

On request of Senator Brooks, leave of absence was granted Senator Jones until Monday.

On request of Senator Gillilland, leave of absence was granted Senator Whipple the rest of the day.

Substitute for House file No. 86, a bill for an act to require and regulate the registration of births and deaths in the State of Iowa, and to repeal section twenty-five hundred sixty-six (2566) twenty-five hundred sixty-seven (2567) of the code, and to repeal chapter one hundred (100) laws of the Thirtieth General Assembly, with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

Senator Young of Calhoun moved the adoption of the following committee amendment:

Amend section seven (7) of the substitute bill by striking out the words and figures, "three thousand ($3,000.00) dollars" and inserting the words and figures "two thousand five hundred ($2,500) dollars" in lieu thereof.

Adopted.

Senator Young of Calhoun moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Eckles, Ericson, Garst, Gillilland, Harper, Hartshorn, Hayward, Hughes, Jackson, Jamison, Kinne, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stuckslager, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Calhoun, Young of Washington—33.

The nays were:

None:

Absent or not voting:

Crawford, Dunham, Elerick, Gale, Hasselquist, Hogue, Hopkins, Jones, Kimmel, Molsberry, Stookey, Taylor, Turner, Wade, Whipple, Young of Lee, Smith of Mitchell—17.

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

Senate file No, 215, a bill for an act to provide for the renewal or extension of the corporate period of state and savings banks with report of committee recommending passage was taken up, considered, an the report of the committee, adopted.

Senator Brooks moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleaky, Brooks, Bruce, Courtright, Dowell, Eckles, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hayward, Hopkins, Hughes, Jackson, Jamison, Kinne, Lewis, Maytag, Newberry, Saunders, Smith of Mitchell, Spaulding, Stirton, Stuckslager, Turner, Warren, Wilson of Fayette, Young of Lee, Young of Washington—31.

The nays were:

None.

Absent or not voting:

Crawford, Crossley, Dunham, Elerick, Hasselquist, Hogue, Jones, Kimmel, Lambert, Lyons, Molsberry, Stookey, Taylor, Wade, Whipple. Winne, Smith of Des Moines, Wilson of Clinton, Young of Calhoun—19.

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

Senator Jamison moved that when the Senate adjourn it be until two o'clock P.M., Monday.

Senator Garst moved to amend the motion by making the time 10 o'clock A. M. Monday.

Carried.

On the question, Shall the motion as amended prevail?

The motion prevailed.

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 indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate file No. 224, a bill for an act to amend the law as it appears in chapter thirty-six (36) of the laws ot the Thirtieth General Assembly relating to park commissioners.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 401, a bill for an act to amend the law as it appears in section fifteen hundred thirty (1530) of the supplement to the code, relative to the levy of taxes for roads and highways.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

House file No. 103, a bill for an act relating to the manner of serving notice or process on corporations organized under the laws of Iowa, but having no resident officer on whom service may be had with report of committee recommending a substitute and passage, was taken up, considered, and the report of the committee adopted.

President pro tem Smith was called to the chair at 11:10 o'clock A. M.

Senator Courtright moved that the substitute recommended by the committee be substituted for the original bill.

Carried.

Senator Courtright moved that the rule be suspended, and that the bill be read a third time now, which motion, prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Dowell, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hayward, Hopkins, Hughes, Jamison, Kimmel, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Washington—33.

The nays were:

None.

Absent or not voting:

Crawford, Crossley, Dunham, Hasselquist, Hogue, Jackson, Jones, Kinne, Molsberry, Stookey, Stuckslager, Taylor, Wade, Whipple, Smith of Mitchell, Turner, Young of Calhoun—17.

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

On request of Senator Elerick leave of absence was granted Senator Molsberry until Monday.

On request of Senator Harper leave of absence was granted Senator Kinne until Tuesday.

House file No. 336, a bill for an act to authorize the Executive Council to convey to Jones county, Iowa, a roadway through the east half of the southwest quarter of section thirty-three (33), township eighty-five (85), north of range four (4), west of the fifth principal meridian was taken up and considered.

Senator Stirton moved to reconsider the vote by which the bill passed the Senate.

Carried.

Senator Stirton moved to reconsider the vote by which the bill passed to its third reading.

Carried.

Senator Stirton moved that the Senate reconsider the vote by which the Senate amendments were adopted.

Carried.

Senator Stirton asked unanimous consent to withdraw the Senate amendments.

Consent granted.

Senator Stirton moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Dowell, Eckles, Elerick, Ericson, Gillilland, Harper, Hartshorn, Hayward, Hopkins, Hughes, Jackson, Jamison, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Turner, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington —33.

The nays were:

None.

Absent or not voting:

Brooks, Crawford, Crossley, Dunham, Gale, Garst, Hasselquist, Hogue, Jones, Kimmel, Kinne, Molsberry, Stookey, Stuckslager, Taylor, Wade, Whipple—17.

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

The President received the following communication which was read.

CENTERVILLE, IOWA, March 31, 1906.

Hon. John Herriott, Senate Chamber, Des Moines, Iowa:

Senator L. L. Taylor's wife died last evening.

L. C. MECHEM.

The President appointed as the committee on the death of Mrs. L. L. Taylor, Senators Lambert, Lewis and Harper.

Senate file No. 282 a bill for an act for the relief of the grantees of Jno. S. Bussey, and for the purpose of having a patent issued in the name of Samuel Kingery, for a certain tract of land with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Warren moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Dowell, Eckles, Elerick, Ericson, Gale, Garst, Gillilland Harper, Hartshorn, Hayward, Hopkins, Hughes, Jackson, Jamison, Kimmel, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Turner, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—35.

The yeas were:

None.

Absent or not voting:

Brooks, Crawford, Crossley, Dunham, Hasselquist, Hogue, Jones, Kinne, Molsberry, Stirton, Stookey, Stuckslager, Taylor, Wade, Whipple—15.

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

President Herriott resumed the chair at 11:35 A. M.

Senator Lambert offered the following resolution and moved its adoption:

WHEREAS, the Senate is in receipt of the announcement of the death of the wife of Senator L. L. Taylor,

Resolved, That the Secretary of the Senate is hereby directed to convey to Senator Taylor the sincere sympathy of the members of this body in the hour of his great bereavement.

Adopted unanimously by a rising vote.

Senate file No. 333, a bill for an act appropriating money for the inspection of county and private institutions in which insane persons are kept, and associations, societies, and homes receiving friendless children, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Dowell, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hayward, Hughes, Jackson, Jamison, Kimmel, Lambert, Lewis, Lyons, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Turner, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—33.

The nays were:

None.

Absent or not voting:

Brooks, Crawford, Crossley, Dunham, Hasselquist, Hogue, Hopkins, Jones, Kinne, Maytag, Molsberry, Saunders, Stookey, Stuckslager, Taylor, Wade, Whipple—17.

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

Senator Warren from the committee appointed to draft suitable resolutions respecting the late Hon. J. L. McCormack, submitted the following report and moved its adoption:

MR. PRESIDENT--The committee appointed by you on the thirtieth day of March, 1906, to draft suitable resolutions from the life and character of Hon. J. L. McCormack, beg leave to report the following resolution and ask that the same be adopted:

J. L. WARREN,
JAMES J. CROSSLEY,
D. A. LYONS.

RESOLUTION.

WHEREAS, Hon. J. L. McCormack, an honored member of the State Senate from Marion county, from 1871 to 1875, departed this life at his home in Knoxville, Iowa, on the thirtieth day of December, 1904, Therefore be it,

Resolved by the Senate of the State of Iowa, That in the death of the said Hon. J. L. McCormack the State has lost one of its most prominent, active and intelligent citizens; and the community in which he lived, one who was neighborly, sympathetic, generous and kind to his fellowmen. He was a

brave and gallant soldier of the War of the Rebellion. He served his country in war on the bloody field of Shiloh, Vicksburg and other battles of the South, with that bravery, loyalty and high devotion to patriotism which always typifies the true soldier of the Republic.

Resolved, That we deeply mourn his death and we hereby extend to the family and friends of the deceased this expression of our sincere sorrow.

Resolved, That these resolutions be printed in the Journal and that the Secretary of the Senate be instructed to have the same engrossed and forward a copy of the same to the family of the deceased.

Adopted unanimously by a rising vote.

REPORTS OF COMMITTEES.

Senator Smith of Mitchell, from the committee on Railroads, submitted the following report:

MR. PRESIDENT—Your committee on Railroads to whom was referred Senate file No. 192, a bill for an act to amend section twenty-six hundred forty-seven (2647) of the code in relation to the powers of the Board of Trustees of the State College of Agriculture and Mechanic Arts, beg leave to report that they have had the same under consideration and have instructed me to report that they have adopted a substitute therefor which they herewith submit with the recommendation that the same do pass.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

SUBSTITUTE FOR SENATE FILE NO. 192.

A BILL for an act authorizing the Governing Board of the Iowa State College of Agriculture and Mechanic Arts to contract with the city of Ames concerning the collection and disposal of sewage and the construction of sewers across the college grounds.

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

Section 1. That the governing board of the Iowa State College of Agriculture and Mechanic Arts is hereby empowered to enter into such contracts with the city of Ames concerning the collection and disposal of sewage as may be deemed by said board to be essential to the maintenance of good sanitary conditions at and in the vicinity of said college. Any contract contemplating the disposal at the college sewage disposal plant of the sewage from other than college premises shall impose upon said city the cost of making necessary additions to said plant and a reasonably proportionate share of the cost of its maintenance and operation.

Section 2. The said Governing Board may authorize the city of Ames to construct sewers across the college grounds upon such terms and conditions as it may deem advisable, but such construction and maintenance shall be made without expense to the state and under the supervision and control of the said Governing Board and the Engineering Department of said college.

Section 3. This act, and any contract made under the same, shall not be held to require the State of Iowa to maintain any sewage disposal plant that now exists or that may hereafter be established upon its grounds a Ames, Iowa. The Governing Board of said college shall have the power to abandon and remove any sewage disposal plant upon such grounds whenever it shall deem it advisable so to do.

Section 4. This act, being deemed of immediate importance, shall be in full force and effect from and after its publication in the Register and Leader and the Des Moines Capital, newspapers published at Des Moines, Iowa.

The substitute was read first and second time and referred to the Sifting committee.

Also:

MR. PRESIDENT—Your committee on Railroads to whom was referred Senate file No. 261, a bill for an act authorizing the Board of Trustees of the Iowa State Agricultural College to grant a right of way to the Central Railway Company of Iowa, over and across section thirty-three (33), township eighty-four (84), range twenty-four (24), and sections twenty-five (25), four (4), nine (9), ten (10), fourteen (14), township eighty-three (83), range twenty-four (24), west of the fifth principal meridian, beg leave to report that 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.

JAS. A. SMITH,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Railroads to who was referred Senate file No. 251, a bill for an act authorizing the Executive Council of the State to grant the right of way to the Ft. Dodge, Des Moines and Southern Railway Co. over and across the section thirty-three (33), township eighty-four (84), range twenty-four (24), and section twenty-five (25), four (4) nine (9) ten (10), fourteen (14), township eighty-three (83), range twenty-four (24), west of the fifth principal meredian, beg leave to report that they have had the sam under consideration and have instructed me to report that they have adopted a substitute therefor which they herewith submit with the recommendation that the same do pass.

JAS. A. SMITH,
Chairman.

Ordered passed on file.

A BILL for an act authorizing the Executive Council of the State of Iowa to grant a right of way for an interurban railway over and across the lands and campus of the Iowa State College of Agriculture and Mechanic Arts in Story County in the State of Iowa, and fix terms and conditions therefor.

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

Section 1. That the Executive Council of the State of Iowa be, and is, hereby authorized to grant a right of way over and across the lands and campus of the Iowa State College of Agriculture and Mechants Arts in Story county and in the state of Iowa for an interurban railway to be operated by electricity, or other motive power except steam, upon such terms and conditions as may be imposed by said Executive Council. And the said Executive Council shall have the power to determine the width and fix the location of such right of way upon which the tracks, switches and turnouts of such interurban shall be constructed; to fix the price and receive the pay for such right of way, and turn the same into the state treasury. One of the considerations and conditions under which such right of way shall be granted is that any interurban railway, desiring to operate its electric cars upon and along the tracks of the company constructing a line of railway upon the right of way so granted, shall have the privilege to do so upon such terms and at such a car mileage basis as may be fixed by the Railway Commissioners of Iowa.

Section 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Register and Leader and Des Moines Daily Capital, newspapers published at the city of Des Moines, Iowa.

The substitute was read first and second time and referred to Sifting committee.

Senator Hartshorn moved that the Senate do now adjourn.

Carried.

Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Monday April 2, 1906.

Senate met pursuant to adjournment at 10 o'clock A. M. President pro tem Smith presiding.

Prayer was offered by the Rev. William Cobb of Bedford, Iowa.

On request of Senator Brooks leave of absence was granted Senator Jones until tomorrow.

On request of Senator Newberry leave of absence was granted Senator Dunham until tomorrow.

On request of Senator Hopkins leave of absence was granted Senators Bruce and Crossley for the day.

PETITIONS AND MEMORIALS.

Senator Brooks presented petition of merchants of Searsboro, urging the passage of the exemption bill.

Referred to Sifting committee.

Senator Wilson of Fayette presented petition of eighteen business men of Fayette, Iowa, urging the passage of House file No, 183, relative to exemptions.

Referred to Sifting committee.

Senator Lyons presented petition of residents of Howard and Winnesheik counties, urging the repeal of the law which imposes a tax on state co-operative associations.

Referred to Sifting committee.

Senator Lyons presented petition of constituents requesting the passage of the Exemption bill, House file No, 183.

Referred to Sifting committee.

Senator Newberry presented petition from Osborne, Iowa, requesting the passage of House file No. 183 known as the Exemption bill.

Referred to Sifting committee.

Senator Stookey presented petitions of merchants of Afton, Leroy, Delphos and Tingley, Iowa, containing sixty-four names, requesting the passage of the Exemption bill, House file No. 183.

Referred to Sifting committee.

Senator Jamison presented petition of residents of Osceola, Iowa, urging the passage of House file No. 183, relative to exemptions.

Referred to Sifting committee.

Senator Bleakly presented petition of fifty-two business firms of Cherokee, Iowa, urging the passage of House file No. 183, relative to exemptions.

Referred to Sifting committee.

Senator Turner offered the following concurrent resolution and moved its adoption:

CONCURRENT RESOLUTION.

WHEREAS the national society of the Army of the Philippines will hold their seventh annual reunion in the State of Iowa at the city of Des Moines, August 13, 14 and 15, 1906; and

WHEREAS, the state of Iowa furnished a regiment of infantry and many members of other organizations who actively and with great credit to the state participated in the Spanish-American War and the Philippine Insurrection and are members of the above mentioned organization; and

WHEREAS, an invitation will be extended by the national society of The Army of the Philippines to their Comrade, the President of the United States to attend and participate in the reunion of the veterans of said organization; therefore be it

Resolved, by the Senate, the House concurring, That the Thirty-first General Assembly unite with the officers and members of The Army of the Philippines in extending an invitation urging President Roosevelt to visit the State of Iowa on the occasion of the said reunion; and be it further

Resolved, That the Secretary of State be requested to forward a copy of these resolutions to President Roosevelt.

Adopted.

Senator Stuckslager presented the following communication which was read:

To the Members of the Thirty-First General Assembly of Iowa:

GREETING:—In conformity with the attached resolution of the city council of the city of Cedar Rapids, Iowa, passed March twenty-third, nineteen hundred six, I, A. H. Conner, mayor of the city of Cedar Rapids, extend to you a most cordial invitation to attend the exercises on Civic and Historical Day, to be held in the city of Cedar Rapids, on Monday, June eleventh, nineteen hundred six, in commemoration of the fiftieth anniversary of the granting of the city's charter.

A. H. CONNOR,
Mayor.

RESOLUTION.

WHEREAS, the Semi-Centennial Committee has set aside Monday June 11, 1906, as Civic and Historical day, and

WHEREAS, The attendance of the members now living of the legislature of 1856, and of the members of the present General Assembly of Iowa, is desired on said day; therefor be it.

Resolved, That the Mayor and Recorder be, and they hereby are, authorized to issue an invitation to the present members of the Thirty-first General Assembly of Iowa and to the members now living of the legislature of 1856, to attend the exercises of the Semi Centennial of the City of Cedar Rapids on June 11, 1906.

Passed this 23rd day of March, A. D. 1906

A. H. CONNOR,
Mayor.

Attest:
H. S. KEFFER,
Recorder.

Senator Stuckslager moved that the invitation be accepted.

Carried.

By unanimous consent Senate file No. 17 was referred to the committee on Ways and Means with the understanding that it was to be afterwards referred to the Appropriation committee for their consideration.

INTRODUCTION OF BILLS.

By Senator Courtright, Senate file No. 345, a bill for an act to amend section twenty-seven hundred twenty-nine (2729), relative to terms of office of trustees of county high schools.

Read first and second time and referred to Sifting committee.

HOUSE MESSAGES CONSIDERED.

House indefinitely postponed Senate file No. 224, a bill for an act to amend the law as it appears in chapter thirty-six (36) of the laws of the Thirtieth General Assembly relating to park commissioners.

Ordered passed on file.

House file No. 401, a bill for an act to amend the law as it appears in section fifteen hundred thirty (1530) of the supplement to the code relative to the levy of taxes for roads and highways.

Read first and second times and referred to Sifting committee.

REPORTS OF COMMITTEES.

Senator Eckles, from the committee on Claims, submitted the following report:

MR. PRESIDENT—Your committee on Claims, to whom was referred Senate file No. 294, a bill for an act to appropriate six hundred thirty-eight dollars and twenty-five cents, for payment of James Brown for services as second-lieutenant while serving under orders of the adjutant-general 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.

CHAS. ECKLES,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Claims to whom was referred Senate file No. 113 a bill for an act to appropriate the sum of ten thousand dollars, for the relief of Ernest L. Ireland on account of injuries received while in the employ of the State of Iowa in the construction of a state building, and directing the manner of the payment of such appropriation, beg leave to report that 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.

CHAS. ECKLES,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate file No. 17, a bill for an act relating to revenue and providing for a license fee upon corporations, and making an appropriation for the purpose of carrying out the objects of this act, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following substitute be adopted in lieu thereof and then referred to the committee on Ways and Means.

WARREN GARST,
Chairman.

Adopted, and the bill referred to the committee on Ways and Means.

Senator Eckles from the committee on Claims, submitted the following report:

MR. PRESIDENT—Your committee on Claims to whom was referred Senate file No. 115, a bill for an act appropriating the sum of eight hundred sixty-eight and forty-eight one-hundredths dollars to be paid to H. W. Tapley and Philip Morgan in settlement of all claims against the State of Iowa by reason of the loss of valuable coins abstracted from the Historical Building by an employee 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 same subject is included in a House bill recently passed this body.

CHAS. ECKLES,
Chairman,

Adopted.

So the bill was indefinitely postponed.

Also:

MR. PRESIDENT—Your committee on Claims to whom was referred House file No. 288, a bill for an act to reimburse Frank Bristow for injuries sustained while in the employ 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 do pass and that the same be referred to the committee on Appropriations.

CHAS. ECKLES,
Chairman.

Adopted and referred to the committee on Appropriations.

Senator Elerick, 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. 325, a bill for an act to establish a State Board of Horticulture, State Park, Arboretum and Botanical Garden; and to make appropriation therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

JAMES ELERICK,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Brooks, from the committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your committee on Agriculture to whom was referred Senate file No. 252 a bill for an act amendatory of the law as it appears in chapter sixty-eight (68) acts of the Thirtieth General Assembly of Iowa, relating to levees, ditches, drains and water courses, repealing sections eighteen (18), nineteen (19) and forty-four (44) and enacting certain 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 following be substituted therefor and that substitute **do pass.**

JNO. T. BROOKS,
Chairman.

Ordered passed on file.

SUBSTITUTE FOR SENATE FILE NO. 252.

A BILL for an act amendatory of the law as it appears in chapter sixty-eight (68) of the Thirtieth General Assembly, relating to levees, ditches, drains and water courses, and amending sections two (2), five (5), twenty-eight (28), forty-two (42), forty-four (44) and forty-eight (48) of said act.

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

Section 1. That section two (2) of chapter sixty-eight (68) of the Acts of the Thirtieth General Assembly be, and the same is hereby amended by inserting after the word "route" and before the word "answering" in line nineteen thereof the words, "including starting point and terminus."

And by adding to said section at the end thereof the following: "The board of supervisors may at any time recall the appointment of any engineer made under the provisions of this act, if deemed advisable to do so, and select another to act in his place."

Section 2. Section five (5) of said act is hereby amended by striking out the period at the end of the sentence, inserting a semicolon in lieu thereof, and by adding thereto the following:—

"And the engineer appointed by the board of supervisors shall accompany said appraisers and furnish such information as may be called for by the appraisers concerning the survey of said improvement"

Section 3. That section twenty-eight (28) of said act be and the same is hereby amended by adding to said section, after the word "par" and before the word "to" in line nine, and after the word "par" and before the word "and" in line ten of said section, the words "with accrued interest;" and by further adding to said section, after the period following the word "therefor" in line seventeen thereof, and before the word "The," the following words: "Such payment shall be made to the county treasurer, and it shall be the duty of the county auditor to certify to the treasurer the amount of any such assessment when requested to do so, and the treasurer shall enter the same upon the tax lists in his hands in a separate place provided therefor, and shall furnish the auditor with duplicate receipts given for all assessments so paid in full."

Section 4. That section forty-two (42) of said act be and the same is hereby amended by adding to said section at the end thereof the following words: "And the amount of fees for publication of all notices required to be published by the provisions of this act shall be fixed by the board of supervisors not exceeding thirty-three and one-third cents for each ten lines of brevier type, or its equivalent."

Section 5. Section forty-four (44) of said act is hereby amended by striking out the period at the end of said section and inserting in lieu thereof a comma, and adding thereto the following:

"Or the township trustees having jurisdiction over said highway shall have the right, if they deem advisable, to petition for the establishment of a drainage district including therein said highway, and said petition shall be considered and acted upon and proceedings had thereunder in all respects the same as provided where petition is signed by one or more of the land owners whose lands would be affected by or assessed for the expenses of the proposed improvements.

Section 6. That section forty-eight (48) of said act is hereby amended by inserting immediately following the word "as" and before the word "additional" in the second line of said section the words "and independent procedure."

Section 7. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in the city of Des Moines, Iowa.

The substitute was read a first and second time and referred to the Sifting committee.

By unanimous consent the Senate requested the recall from the House of House file No. 325.

THIRD READING OF BILLS.

House file No. 376, a bill for an act to legalize the incorporation of the town of Schleswig, Crawford county, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hogue moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Dowell, Eckles, Elerick, Ericson, Garst, Gillilland, Hartshorn, Hayward, Hogue, Hopkins, Hughes, Jamison, Kimmel, Lambert, Lewis, Lyons, Molsberry, Newberry,

Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stookey, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—35.

The nays were:

None.

Absent or not voting:

Bruce, Crawford, Crossley, Dunham, Gale, Harper, Hasselquist, Jackson, Jones, Kinne, Maytag, Stirton, Taylor, Wade, Winne—15.

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

House file No. 270, a bill for an act to repeal section seventeen hundred thirty-seven (1737) of the code, relating to the publication of certificates of compliance of companies transacting the business of insurance other than life and enacting a substitute therefor, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Whipple moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Courtright, Eckles, Elerick, Ericson, Gillilland, Harper, Hartshorn, Hayward, Hogue, Hopkins, Hughes, Jamison, Kimmel, Lambert, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—34.

The nays were:

None.

Absent or not voting:

Brooks, Bruce, Crawford, Crossley, Dowell, Dunham, Gale, Garst, Hasselquist, Jackson, Jones, Kinne, Maytag, Taylor, Wade, Winnie—16.

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

House file No. 267, a bill for an act to amend the law as it appears in section twenty-six hundred four (2604) of the supplement to the code, relating to officers of the Iowa Soldiers' Home with report of committee recommending passage was taken up, considered, aud the report of the committee adopted.

Senator Harper moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Courtright, Dowell, Eckles, Elerick, Ericson, Gale, Gillilland, Harper, Hartshorn, Hayward, Hopkins, Hughes, Jamison, Kimmel, Lambert, Lewis, Lyons, Molsberry, Newberry, Saunders, Spaulding, Stirton, Stookey, Stuckslager, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—32.

The nays were:

None.

Absent or not voting:

Brooks, Bruce, Crawford, Crossley, Dunham, Garst, Hasselquist, Hogue, Jackson, Jones, Kinne, Maytag, Taylor, Turner, Wade, Winne, Smith of Des Moines, Smith of Mitchell—18.

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

Senator Gillilland moved that Governor Folk, of Missouri, be invited to visit the Senate this afternoon and that a committee of three be appointed to extend the invitation and present him to the Senate.

Carried.

Senate file No. 228, a bill for an act to provide for the regulation of embalming and disposal of dead bodies, and to prevent the use of poisons in the preservation of dead bodies, and for a system of examination, registration and licensing of embalmers, and to impose penalties for the violation of its provisions, with report of committee recommending passage was taken up, considered, and the report of the committee, adopted.

Senator Young of Calhoun moved that House file No. 340 be substituted for the bill under consideration.

Carried.

Senator Young of Calhoun offered the following amendment and moved its adoption:

Add to section eight (8) the words: "obtaining consent of the parties having charge of the body."

Adopted.

Senator Young of Calhoun moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Eckles, Ericson, Gillilland, Harper, Hopkins, Hughes, Jamison, Kimmel, Lewis, Newberry, Saunders, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—24.

The nays were:

Courtright, Dowell, Hartshorn, Lyons—4.

Absent or not voting:

Bruce, Crawford, Crossley, Dunham, Elerick, Gale, Garst, Hasselquist, Hayward, Hogue, Jackson, Jones, Kinne, Lambert, Maytag, Molsberry, Spaulding, Taylor, Wade, Warren, Smith of Des Moines, Winne—22.

So the bill having failed to receive a constitutional majority was declared lost.

The President announced as the committee to wait on Governor Folk of Missouri, Senators Gillilland, Wilson of Fayette and Stirton.

House file No 187, a bill for an act to repeal chapter thirty-one (31) of the laws of the Thirtieth General Assembly and to enact a substitute therefor relating to sewers in cities and in incorporated towns, with report of committee recommending passage was taken up, considered, and the report of the committee adopted

Senator Courtright moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Eckles, Elerick, Ericson, Gale, Gillilland, Harper, Hayward, Hopkins, Hughes, Jamison, Kimmel, Lambert, Lewis, Molsberry, Newberry, Saunders, Smith of Des Moines, Stirton, Stookey, Stuckslager, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—30.

The nays were:

None.

Absent or not voting:

Bruce, Crawford, Crossley, Dowell, Dunham, Garst, Hartshorn Hasselquist, Hogue, Jackson, Jones, Kinne, Lyons, Maytag Smith of Mitchell, Spaulding, Taylor, Turner, Wade, Winne—20.

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

Senator Dowell moved to reconsider the vote by which House file No. 340 was lost.

Carried.

On the question, Shall the bill pass?

The yeas were:

Brooks, Dowell, Eckles, Ericson, Gale, Harper, Hayward, Hughes, Jamison, Kimmel, Lewis, Newberry, Saunders, Smith of Mitchell, Whipple, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—19.

The nays were:

Bleakly, Courtright, Elerick, Hartshorn, Lambert, Lyons, Molsberry, Warren—8.

Absent or not voting:

Bruce, Crawford, Crossley, Dunham, Garst, Gillilland, Hasselquist, Hogue, Hopkins, Jackson, Jones, Kinne, Maytag, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Wilson of Fayette, Smith of Des Moines, Winne—23.

So the bill having failed to receive a constitutional majority was declared lost.

House file No. 387, a bill for an act to amend sections two (2) and five (5) of chapter forty (40) of the acts of the Thirtieth General Assembly, relating to primary elections was taken up and considered,

Senator Dowell moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?'

The yeas were:

Bleakly, Brooks, Courtright, Dowell, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hayward, Hopkins, Hughes, Jamison, Kimmel, Lambert, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Washington —33.

The nays were:

None.

Absent or not voting:

Bruce, Crawford, Crossley, Dunham, Eckles, Hasselquist, Hogue, Jackson, Jones, Kinne, Maytag, Stuckslager, Taylor, Turner, Wade, Winne, Young of Calhoun—17.

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

Substitute amendment for House file No. 177, a bill for an act to repeal chapter one hundred eighty-five (185) of the acts of the Thirtieth General Assembly and enact a substitute therefor, relating to the survey, appraisement and sale of abandoned river channels, of the Mississippi and Missouri rivers, and all navigable streams within the state, and all land within such abandoned river channels, and all islands or bars situated in such navigable waters and authorizing the appointment of a commission to ascertain and establish the boundary lines between the state of Iowa and adjoining states, was taken up and considered.

Senator Dowell was called to the chair at 11:35 o'clock A. M.

Senator Saunders moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Dowell, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Kimmel, Lambert, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Stuckslager, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Calhoun, Young of Washington—33.

The nays were:

None.

Absent or not voting:

Bruce, Crawford, Crossley, Dunham, Gale, Hogue, Jackson, Jamison, Jones, Kinne, Maytag, Smith of Mitchell, Taylor Turner, Wade, Winne, Young of Lee—17.

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

The Journal of March 30th was taken up, corrected and approved.

Senator Hopkins moved that when the Senate adjourn it be until 2 o'clock P. M.

Carried.

The Journal of March 31st was taken up, corrected and approved.

Senator Young of Lee moved that the Senate do now adjourn.

Carried.

Senate stood adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2:00 o'clock P. M., President Herriot presiding.

THIRD READING OF BILLS.

House file No. 379, a bill for an act to amend the law as it appears in sections fifteen hundred thirty-three (1533) and

fifteen hundred forty-a (1540-a) of the supplement to the code, relating to the collection of road taxes with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Hasselquist moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Kimmel, Lambert, Lewis, Lyons, Molsberry, Newbury, Smith of Des Moines, Spaulding, Stookey, Stuckslager, Turner, Warren, Whipple, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—33.

The nays were:

None.

Absent or not voting:

Brooks, Bruce, Crawford, Garst, Gillilland, Hogue, Jackson, Jones, Kinne, Maytag, Saunders, Smith of Mitchell, Stirton, Taylor, Wade, Wilson of Fayette, Winne—17.

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

The committee appointed to extend the courtesies of the Senate to Governor Joseph W. Folk of Missouri were announced by the Sergeant-at-arms who was instructed by the President to escort them to his desk.

The President introduced Governor Folk to the Senate and he delivered a short address.

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 concurred in Senate amendments to House file NO. 167, in which the concurrence of the House was asked.

A bill for an act relating to fish and game and making appropriations for The Fish and Game Commission of the State of Iowa.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House herewith asks the recall of Senate file 224.

A bill for an act to amend the law as it appears in chapter thirty-six (36) of the laws of the Thirtieth General Assembly relating to park Commissioners.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 274, in which the concurrence of the House was asked:

A bill for an act to repeal sections twenty-five hundred (2500) and twenty-five hundred two (2502) of the code relating to geological surveys and the duties of the State Geologist and to enact a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file 126 in which the concurrence of the House was asked:

A bill for an act to amend chapter one hundred and one (101) laws of the Thirtieth General Assembly, relative to establishing and maintaining a State Board of Health laboratory at Iowa City.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file 103, in which the concurrence of the House was asked:

A bill for an act relating to the manner of serving notice or process on corporations organized under the laws of Iowa but having no resident officer on whom service may be had.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file 129, in which the concurrence of the House was asked:

House file No. 129, a bill for an act providing for the care and permanent preservation of the public archives and making an appropriation therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file 331, in which the concurrence of the House was asked:

A bill for an act to amend section one hundred forty-six (146) of the code, relating to the term of office of the Custodian of Public Buildings.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file 86, in which the concurrence of the House was asked:

A bill for an act to require and regulate the registration of births and deaths in the State of Iowa, and to repeal section twenty-five hundred sixty-six (2566) and twenty-five hundred sixty-seven (2567) of the code and to repeal chapter one hundred (100) laws of the Thirtieth General Assembly.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendment to House file 338 in which the concurrence of the House was asked:

A bill for an act to secure in matters of religion a free exercise of religious preference and practice to all inmates of state, county and city institutions maintained for the detention of persons held by committal or confinement in any state, county or city institutions whether penal, correctional, charitable or educational or in any place of confinement maintained and supported by public funds.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in part and refuses to concur in part of Senate amendments to House file No. 330 in which the concurrence of the House was asked:

A bill for an act to repeal sections one thousand fifty-seven, (1057), one thousand sixty-four (1064), one thousand sixty-five (1065), one thousand sixty-six (1066), one thousand seventy (1070), one thousand seventy-one (1071) and to enact substitutes therefor, relating to the election of officers and the terms of office.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file 357, a bill for an act to apportion the State into Representative Districts and declare the ratio of representation.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 279, a bill for an act additional to and amendatory of chapter one (1) of title eleven (XI) of the code, and the law as it appears in chapter one (1) title eleven (XI) of the supplement to the code and chapter seventy-seven (77) of the acts of the Thirtieth General Assembly, relative to State Military force and Iowa National Guard.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 412, a bill for an act to protect the public health and the health of domestic animals by providing for the inspection of registered cattle brought into the State for breeding or dairy purposes.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT.—I am directed to inform your honorable body that the House has concurred in Senate Amendments to House file No. 328, in which the concurrence of the House was asked and further amended the bill in which the concurrence of the Senate is asked:

A bill for an act to repeal section one hundred twenty-three (123) of the code as the same is found in the supplement to the code and to enact a substitute therefor, relating to the biennial fiscal term.

C. R. BENEDICT,
Chief Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Turner from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled Senate file No. 13, a bill for an act to create a legeislative commission to examine the subject of all insurance and the pratice of all insurance companies doing business in this state and make recommendations concerning the insurance laws and provide a uniform policy for life and fire insurance and report their findings and recommendations to the next General Assembly, and for other purposes.

Also:

Senate file No. 239, a bill for an act to amend the law as it appears in section twenty-four hundred forty-eight (2448) of the code relating to the establishment of saloons within certain distances of specified buildings and places and to include cemeteries among the places affected by the provisions of said section.

Also:

Senate file No. 249, a bill for an act relating to the rules for admission to the Soldiers' Home.

Also:

Senate file No. 126, a bill for an act for the protection of birds, their nests and eggs, the whole being additional to chapter fifteen (15), title twelve, (XII) of the code.

Also:

Senate file No. 268, a bill for an act appropriating money to pay the expenses of the members of the Iowa Shiloh Battlefield Monument Commission, The Vicksburg Park Monument Commission, The Iowa Lookout Mountain and Missionary Ridge Monument Commission, The Iowa Andersonville Prison Monument Commission, Speakers and Musicians, upon a joint visit to the several fields upon which monuments have been erected under their supervision, for the purpose of dedicating the same.

Also:

Senate file No. 276, a bill for an act to amend section twenty-four hundred fifty (2450) of the code relating to the sale of intoxicating liquors under the mulct law.

Also:

Senate file No. 100, a bill for an act to amend the law as it appears in section twenty-seven hundred eight (2708) of the supplement to the code so as to raise the age of commitment of females to the industrial school to eighteen years.

Also:

Senate file No. 30, a bill for an act to repeal sections twenty-six hundred thirty-two (2632), twenty-seven hundred thirty-four (2734), twenty-seven hundred thirty-five, (2735), twenty-seven hundred thirty-six (2736) wenty-seven hundred thirty-even (2737) of the code, and sections twenty-seven hundred thirty-four (2734), twenty-seven hundred thirty-six, (2736) twenty-seven hundred thirty-seven, (2737) of the supplement to the code, and to define the qualifications of county superintendents; to provide for the examination and certification of teachers for the public schools, the classification of teachers' certificates and the registration of the same.

D. W. TURNER,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turner from the joint committee on Enrolled Bills submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 13, a bill for an act to create a legislative commission to examine the subject of insurance and the practice of all insurance companies doing business in this state and make recommendations concerning the insurance laws and provide a uniform policy for life and fire insurance and report their findings and recommendations to the next General Assembly, and for other purposes.

Also:

Senate file 239, a bill for an act to amend the law as it appears in section twenty-four hundred forty-eight (2448) of the code, relating to the establishment of saloons within certain distances of specified buildings and places and to include cemeteries among the places affected by the provision of said section.

Also:

Senate file 249, a bill for an act relating to the rules for admission to the Soldiers' Home.

Also.

Senate file 126, a bill for an act for the protection of birds, their nests and eggs, the whole being additional to chapter fifteen (15) title twelve (XII.) of the code.

Also:

Senate file 268, a bill for an act appropriating money to pay the expense of the members of the Iowa Shiloh Battlefield Monument Commission, the Iowa Vicksburg Park Monument Commission, the Iowa Lookout Mountain and Missionary Ridge Monument Commission, the Iowa Andersonville Prison Monument Commission, speakers and musicians, upon a joint visit to the several fields upon which monuments have been erected under their supervision, for the purpose of dedicating the same.

Also:

Senate file 276, a bill for an act to amend section twenty-four hundred fifty (2450) of the code relating to the sale of intoxicating liquors under the mulct law.

Also:

Senate file No. 100, a bill for an act to amend the law as it appears in Section twenty-seven hundred eight of the supplement to the code so as to raise the age of commitment of females to the Industrial school to eighteen years.

Also:

Senate file No. 30, a bill for an act to repeal sections twenty-six hundred thirty-two (2632), twenty-seven hundred thirty-four (2734), twenty-seven hundred thirty-five (2735), twenty-seven hundred thirty-six (2736), twenty-seven-hundred thirty-seven (2737), of the code, and sections twenty-seven hundred thirty-four (2734), twenty-seven hundred thirty-six (2736), twenty-seven-hundred thirty-seven (2737), of the supplement to the code, and to define the qualifications of county superintendents; to provide for the examination and certification of the teachers for public schools; the classification of teachers' certificates, and the registration of same.

Also:

House file No. 11, a bill for an act providing for placing a statue in bronze of Samuel J. Kirkwood, Ex-Governor of Iowa, in the National Statuary Hall in the Capitol Building at Washington, D. C., and appropriating money to pay therefor.

Also:

House file No. 100, a bill for an act punishing any person who shall ask, request, or solicit another to have carnal knowledge with any female, for a consideration or otherwise.

Also:

House file No. 175, a bill for an act to amend section three thousand forty-seven (3047) of the code relating to the assignment of wages.

Also:

House file No. 196, a bill for an act in relation to penalty on unpaid taxes in cities acting under special charters.

Also:

House file No. 280, a bill for an act to amend sections twenty-five hundred eventy-five-c (2575-c), twenty-five hundred seventy-five-d (2575-d), twenty-five hundred seventy-five-e (2575-e) and twenty-five hundred seventy-five-f (2575-f), chapter sixteen-a (16-a) of the supplement to the code, relative to bringing into the state nursery stock.

Also:

House file No. 299, a bill for an act to amend section fifteen hundred sixty-six-a (1566-a) of the supplement to the code, relating to publication of itemized accounts of township officers.

Also:

House file No. 375, a bill for an act to legalize the incorporation of the town of Portsmouth, Shelby county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the council of said town.

Also:

House file No. 39, a bill for an act to amend section fifteen hundred thirty (1530) of the supplement to the code, giving boards of supervisors power to levy additional mill.

Also:

House file No. 146, a bill for an act appropriating the sum of eight hundred sixty-two and thirty-eight one hundredths dollars ($862.38) to be paid to H. W. Tapley and Philip Morgan in settlement of all claims against the state of Iowa by reason of the loss of valuable coins abstracted from the Historical Building by an employee of the state.

Also:

House file No. 286, a bill for an act to amend sections nine hundred twenty-two (922), nine hundred twenty-three (923), and nine hundred twenty-four (924) of the code relating to the platting of land by the county auditor.

Also:

House file No. 206, a bill for an act to indemnify L. H. Fenton for personal injury sustained by him while employed at the State Hospital for the insane, at Mt. Pleasant, Iowa.

Also:

House file No. 229, a bill for an act to amend section twenty-four hundred thirty-nine (2439) of the code, relative to the collection of the mulct tax.

D. W. TURNER,
Chairman Senate Committee.
H. L. SPAULDING,
Chairman House Committee.

Ordered passed on file.

Senator Smith of Mitchell moved that the Senate recall Senate file No. 337 from the House.

Carried.

REPORTS OF COMMITTEE.

Senator Saunders, from the committee on Penitentiaries and Pardons, submitted the following report:

MR. PRESIDENT—Your committee on Penitentiaries and Pardons to whom was referred the application of George Weems, a convict now under life sentence from the district court of Polk County, Iowa, for the murder of L. B. Ridpath, beg leave to report that they have had the said application under consideration and have instructed me to report the same back to the Senate with the recommendation that said application for executive clemency be denied.

C. G. SAUNDERS,
Chairman.

Adopted.

Also:

MR. PRESIDENT—Your committee on Penitentiaries and Pardons to whom was referred the application of Thomas W. Watson of Mills county, a convict under life sentence at Anamosa, for murder in the first degree, of S. Shelley, beg leave to report that they have had the said application under

consideration and have instructed me to report the same back to the Senate with the recommendation that said application for executive clemency be denied.

C. G. SAUNDERS,
Chairman

Adopted.

Also:

MR. PRESIDENT—Your committee on Penitentiaries and Pardons to whom was referred the application of Alonzo Robbins, a convict now confined at Ft. Madison under life sentence from the district court of Lee County, Iowa, for the murder of his wife, beg leave to report that they have had the said application under consideration and have instructed me to report the same back to the Senate with the recommendation that said application for executive clemency be denied.

C. G. SAUNDERS,
Chairman.

Adopted.

Also:

MR. PRESIDENT—Your committee on Penitentiaries and Pardons to whom was referred the application of John D. Steel, a convict now confined at Ft. Madison under life sentence from the district court of Monroe county, Iowa, for the murder of Jacob Warner, beg leave to report that they have had the said application under consideration and have instructed me to report the same back to the Senate with the recommendation that said application for executive clemency be denied.

C. G. SAUNDERS,
Chairman.

Adopted.

Also:

MR. PRESIDENT—Your committee on Penitentiaries and Pardons to whom was referred the application of William Toole, a convict now confined at Anamosa under life sentence from the district court of Sac county, Iowa. for murder of his wife, beg leave to report that they have had the said application under consideration and have instructed me to report the same back to the Senate with the recommendation that said application for executive clemency be denied.

C. G. SAUNDERS,
Chairman.

Adopted.

Also:

MR. PRESIDENT—Your committee on Penitentiaries and Pardons to whom was referred the application of J. B. Taylor, a convict now confined at Anamosa under life sentence from the district court of Clinton county,

Iowa, for the murder of his wife, beg leave to report that they have had the said application under consideration and have instructed me to report the same back to the Senate with the recommendation that said application for executive clemency be denied.

C. G. SAUNDERS,
Chairman.

Adopted.

Also:

MR. PRESIDENT—Your committee on Penitentiaries and Pardons to whom was referred the application of Orman McPherson, a convict now confined at Fort Madison under life sentence from the district court of Louisa county, Iowa, for the murder of Marshal Finley beg leave, to report that they have had the said application under consideration and have instructed me to report the same back to the Senate with the recommendation that said application for executive clemency be denied.

C. G. SAUNDERS,
Chairman.

THIRD READING OF BILLS.

Senate file No. 208 a bill for an act to amend section twenty-one hundred fifty-eight (2158), chapter eight (8), title ten (10), of the code referring to telegraph and telephone lines, with report of committee recommending amendments and passage was taken up, considered and the report of the committee adopted.

Senator Whipple moved the adoption of the following amendments recommended by the committee.

Amend the title by striking therefrom the words, "chapter eight (8) title ten (10)."

Amend section one (1) by striking from the last line thereof the words "it to make extension", and inserting in lieu thereof the words "such extensions and improvements."

Adopted.

Senator Whipple moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jones, Kimmel, Lambert, Lewis, Maytag, Molsberry, Newberry, Smith of Des

Moines, Spaulding, Stirton, Stookey, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Young of Lee, Young of Calhoun, Young of Washington—37.

The nays were:

Lyons—1.

Absent or not voting:

Bruce, Crawford, Hartshorn, Hogue, Jamison, Kinne, Saunders, Smith of Mitchell, Taylor, Wade, Wilson of Clinton, Winne—12.

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

Senator Lambert from the special committee appointed to draft suitable resolutions respecting the life and character of the late Hon. John Hilsinger, of Sabula, Jackson county, Iowa, submitted the following report:

RESOLUTIONS OF RESPECT.

MR. PRESIDENT—Your committeee appointed to prepare resolutions on the death of Hon. John Hilsinger, late of Sabula, Jackson county, Iowa, and formerly a member of this legislative body, most respectfully submits the following report:

John Hilsinger was born at Marathon, Cortland county, New York, March 4th, 1835, and died at Sabula, Iowa, March 26, 1906. Hard work upon the farm and at the trade of carpenter and millwright was his lot in early life, but by improving every opportunity for self-education and reading law, he was examined and admitted to the bar at Ithaca, New York, in 1857. He came to Iowa the same year, locating for a short time in Floyd county, but in 1858, moved to Sabula, Jackson county, where he has since resided. During the first two years of his residence at Sabula, he was principal of the High School and practiced law at the same time, but since 1860 he has given his entire time to the practice of his profession and the banking business, being eminently successful in both.

He was elected township Supervisor in 1850 and held that office for eight years. In 1861 he was appointed Postmaster at Sabula and with the exception of four years, while he was a member of the State Senate, held that office continuously until the fall of 1885, when he tendered his resignation because of a change in the national administration. He was appointed by President Lincoln as enrolling officer of Jackson county, during 1861 and 1862 and was a member of the enrolling board to hear and determine claims for exemption from military duty. In 1864, Mr. Hilsinger was elected to the State Senate and was a distinguished member of this body for four years. He was a member of the Jackson county board of supervisors for several terms and county attorney for two years. He was city attorney from the organization of the town of Sabula, in 1863, until the time of his death, and was Mayor during the first five years of the

town's incorporation? He was appointed treasurer of the Independent School District of Sabula in 1865 and elected treasurer of the city in 1863, holding both positions continuously until death removed him from office.

He was a consistent Republican, casting his first vote for John C. Fremont for President in 1856; was chairman of the Republican county central committee for many years, a member of the State central committee several times and a delegate to the National Republican Convention in 1884.

Mr. Hilsinger was also prominent in the social and fraternal organizations of Iowa. In 1874-5 he was Grand Treasurer of the Grand Lodge of Iowa, A. F. and A. M., and Grand Master of the A. O. U. W. of Iowa in 1886 and 1887. He was elected Grand Treasurer of the Iowa Legion of Honor in 1885 and had an unbroken record in that office up to the day of his death.

While always prominent in public life, he was never an "office seeker"—never once in his long career being a self-constituted candidate, but with the true spirit of American citizenship, yielded to the wishes of his friends, when they desired to call him to a position of trust and responsibility. He was never defeated for any office for which he was a candidate. He was always honest, efficient and faithful in the discharge of every duty, public or private—a devoted husband, a kind and indulgent father, a broad-minded and useful citizen; therefore, be it

Resolved, That we extend to his bereaved family our most sincere sympathy in this, their hour of sadness and sorrow; and

Resolved, That these resolutions be entered in the Journal of the Senate and that an engrossed copy be presented to the family of the deceased, by Secretary of the Senate.

THOS. LAMBERT,
W. P. WHIPPLE,
J. H. JACKSON,
Committee.

Senator Lambert moved the adoption of the report and Resolution.

Adopted unanimously by a rising vote.

Senator Lambert spoke as follows:

MR. PRESIDENT:—My personal acquaintance with Hon. John Hilsinger has been, with me, the acquaintance of a life-time. I was but three years old when Mr Hilsinger came to my native town, so that, boy and man, I have intimately known and associated with him for almost half a century, and our relations have always been such that I do not feel that I can, either in justice to myself or to the memory of the departed, permit this occasion to pass without offering my humble tribute of respect to his memory.

In years long past, I have frequently listened with interest to sketches of his early life, as they fell from his own lips and will plead guilty of having sometimes received a new inspiration and an increased ambition from those personal reminiscences and the wise conclusions that were invariably a part thereof. His was a rough and rugged road in early life, yet, by his own

indomitable will and energy, supplemented by a broad and analytical mind he carved for himself a name and a place in life that endeared him to his fellow man and is handed down as a rich and priceless heritage to those who must take up the burden where his tired body sank to rest.

He was a self-made man, in the fullest meaning of the words; one who knew not the taste of the bread of idleness and was ever ready to extend a helping hand to the deserving young man, who was struggling amidst adverse circumstances, similar to those surrounding his own early life. He was naturally of a retiring and unassuming disposition, and of his own volition, would probably never have sought public preferment, but in his case, the people recognized his sturdy character, and broad liberal, yet keenly analytical mind, unswerving integrity and inflexible duty to every trust, sought, *the man*, and it is given to but few men to enjoy public confidence to a greater extent than did the subject of these remarks.

It was in the Senate of the Tenth and Eleventh General Assemblies of Iowa that he left the impress of his well stored mind and keen intellect upon the statutes of our State, and I have been told by those who sat in this body with him, that he was generally recognized as one of the safest and most valuable members of that body. It was not with the flowery tongued oration that he did his work, but from his well stored and powerful intellect, trained in legal lore, came thoughts and ideas of far greater value to his colleagues, than a mere flow of words. His advice and opinions were eagerly sought and were almost always good.

As a friend, he was unswerving in his fidelity and as an adversary, he commanded respect. He was a strong, representative man in every walk of life and guarded well the interests intrusted to his keeping. The best efforts of his great mind were given to the performance of his public duties, and his reward was the unwavering trust of his constituents. He had passed the meridian of life, yet up to the time of his last illness, his intellect was as keen, his mind as alert and his interest in public affairs as intense, as at any time during his long and useful career.

It is only natural for those old in years to pass away, yet none the less mysterious are the councils of death, and were it not for that bright star of hope, which enables us to look beyond the clouds of sorrow and suffering, and see the light of better days, it would be indeed gloomy. A good man has passed to his reward, and let us hope that,

"The eye that shuts in a dying hour,
Will open the next in bliss;
The welcome will sound in the heavenly world,
Ere the farewell sounds in this."

Senator Whipple moved that remarks made by Senator Lambert be printed in the Journal.

Carried.

The President announced that he had signed in the presence of the Senate, Senate files Nos. 13, 239, 249, 126, 268, 276, 100 30 and House files Nos. 11, 100, 175, 196, 280, 299, 375, 39, 146 286, 206, 299.

Senator Dowell was called to the chair at 3 o'clock P. M.

THIRD READING OF BILLS.

Senate file No. 209, a bill for an act extending all existing franchises of telephone, telegraph and district telegraph companies so they will expire at the same time, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

The President resumed the chair at 3:10 o'clock P. M.

Senator Young of Calhoun moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On question, Shall the bill pass?

The yeas were:

Brooks, Gillilland, Harper, Hayward, Hopkins, Hughes, Kimmel, Lyons, Maytag, Molsberry, Saunders, Smith of Mitchell, Turner, Young of Lee, Young of Calhoun—15.

The nays were:

Bleakly, Courtright, Crossley, Dunham, Elerick, Ericson, Garst Hartshorn, Jackson, Jones, Lambert, Lewis, Newberry, Stirton, Whipple, Wilson of Fayette, Young of Washington—17.

Absent or not voting:

Bruce, Crawford, Dowell, Eckles, Gale, Hasselquist, Hogue, Jamison, Kinne, Smith of Des Moines, Spaulding, Stookey, Stuckslager, Taylor, Wade, Warren, Wilson of Clinton, Winne—18.

So the bill having failed to receive a constitutional majority was declared lost.

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 herewith returns Senate file No. 337, a bill for an act amending section twenty one hundred twenty-six (2126) of the code relative to Railway rates.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has receded from its amendments to Senate file No. 12 in which the Senate refused to concur.

The bill being a bill for an act making it unlawful for any steam railway or interurban railway doing business within the state, or any officer, agent or representative thereof, to issue, give or offer to any city, county, district or state officer, including judges and members of the General Assembly, or to any delegate to a political convention to use in attending such convention or return therefrom, or to any member of any political committee or employee thereof, or any candidate for a city, county, district or state office, or to jurors in state or federal courts, any free pass, ticket or other privilege at rates less than charged the public, and prohibiting any city, county, district or state officer, and any delegate to a county, district or state political convention any candidate, for a county, district or state office, and any member of any political committee or any employee thereof, and any juror in state or federal courts to request or use any such free pass, ticket or privilege, sold or conferred at a less rate than the rate charged the public, over any steam railroad or interurban railroad, and providing a penalty therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

PRESIDENT—I am directed to inform your honorable body that the House has adopted the report of the Conference Committee on House file No. 74 and amendments recommended by the committee, adopted and passed the bill as amended.

A bill for an act to regulate the employment of child labor to provide for enforcement thereof additional to chapter six (6) title twelve (12) of the code.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

House file No. 366 a bill for an act relative to the transfer of funds raised by townships for the purpose of building public halls, additional to chapter ten (10) title four (4) of the code with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Courtright offered the following amendment and moved its adoption:—

Strike out the words "or may be hereafter" in the first line of the printed bill.

Adopted.

Senator Beakly moved that the rule be suspended and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Lyons, Maytag, Stirton, Stookey, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—32.

The nays were:

None.

Absent or not voting:

Bruce, Crawford, Crossley, Dowell, Gale, Hogue, Kinne, Lambert, Lewis, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Taylor, Wade, Winne—18.

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

Senate file No. 178, a bill for an act to amend sections eighteen (18) nineteen (19) of the code in relation to county auditors' reports to the state auditor of codes, supplements to the code and session laws furnished by the Secretary of State to county auditors, was taken up and considered.

Senator Stookey moved that the Senate concur in the following House amendment.

Amend the bill so it shall read as follows:

A BILL for an act to amend sections eighteen (18) and nineteen (19) provisions relating to the code and subsequent statutes in relation to county auditors' reports to the State auditors, of codes, supplements to the code, and session laws furnished by the Secretary of State to county auditors.

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

Section 1. Section eighteen (18) provisions to the code and subsequent statutes is hereby amended by striking out after the word "the" in line five the words "fifteenth day of November" and inserting in lieu thereof the words "first Monday in January". And section nineteen (19) provisions relating to the code and subsequent statutes is hereby amended by striking out the word "fifteenth" at the end of line one and the words "day of November" at the commencement of line two and inserting in lieu thereof the words "first Monday in January."

On the question, Shall the House amendment be concurred in?

The yeas were:

Brooks, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hopkins, Hughes, Jackson, Jones, Kimmel, Lambert, Lyons, Maytag, Newberry, Smith of Des Moines, Stirton, Stookey, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—34.

The nays were:

None.

Absent or not voting:

Bleakly, Bruce, Crawford, Gale, Hayward, Hogue, Jamison, Kinne, Lewis, Molsberry, Saunders, Smith of Mitchell, Spaulding, Taylor, Wade, Winne—16.

So the House ammendment was concurred in.

House file No. 253, a bill for an act to prohibit unfair commercial discrimination between different sections, communities or localities, or unfair competition, and providing penalties therefor, with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

Senator Newberry moved the adoption of the following amendments recommended by the committee:

Amend section one (1) by striking out in the third and fourth lines the following words: "any commodity in general use" and insert in lieu thereof the words "petroleum or any of its products."

Amend section (7) by striking out the word "oust" in the fifth line thereof and inserting in lieu thereof the word "enjoin." And by adding the word 'transacting" after the word "from" in the sixth line of said section.

Adopted.

Senator Newberry moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Kimmel, Lambert, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—40.

None.

Absent or not voting:

Bruce, Crawford, Hogue, Jones, Kinne, Lewis, Molsberry Taylor, Wade, Winne—10.

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

INTRODUCTION OF BILLS.

By Senator Hayward from committee on Retrenchment and Reform. Joint resolution No. 5.

Read first and second time and ordered printed in the Journal.

JOINT RESOLUTION NO. 5.

JOINT RESOLUTION fixing the number and compensation of employes in the departments of state at the seat of government.

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

Until July 1, 1907, the number of employes for the various offices at the seat of government, unless otherwise provided by law, shall at no time exceed the number named herein, and their compensation shall be the amounts herein fixed:

FOR THE OFFICE OF THE ATTORNEY GENERAL.

	Per Annum
One assistant to the attorney general	$1,800
One stenographer at a salary of	900
Additional assistance and contingent fund	1,200

FOR THE AUDITOR OF STATE.

One chief clerk of the insurance department at a salary of	$1,800
One security clerk in insurance department, who shall give bond, at a salary of	1,600
One fee clerk, who shall give bond, at a salary of	1,300
Extra clerical assistance in insurance department	1,000
One chief clerk in revenue department at a salary of	1,600
One chief clerk in banking department at a salary of	1,600
One assistant clerk in banking department at a salary of	1,000
Extra clerical assistance in banking and revenue departments, expense in adjusting accounts between the state and counties, expense in attending meetings of the insurance commissioners and such other expenses as shall be approved by the executive council, not to exceed	1,500
Two stenographers at salaries, each of	900
Allowance for the assistant insurance examiner not to exceed five hundred dollars ($500), said assistant examiner to receive altogether with salary not to exceed eighteen hundred dollars ($1,800) per annum.	
One janitor at a salary of	720

FOR THE OFFICE OF THE CLERK OF THE SUPREME COURT.

One clerk at a salary of..... 1,200
Additional clerical assistance not to exceed..... 900
One messenger who shall perform such duties about his office for the supreme court room proper as the clerk may order at a a salary of 720

FOR THE OFFICE OF GOVERNOR.

One pardon secretary at a salary of..... 1,500
One pardon clerk at a salary of..... 1,200
One requisition clerk at a salary of..... 1,200
One general clerk at a salary of..... 900
One general clerk and stenographer at a salary of..... 900
One messenger and usher, who shall act as janitor, at a salary of 900

FOR THE STATE LIBRARIAN'S OFFICE.

One cataloguer at a salary of.....$1,000
One stenographer and bookkeeper at a salary of..... 900
One janitor at a salary of..... 720
Assistant help in janitor service..... 400

FOR THE OFFICE OF THE RAILROAD COMMISSIONERS.

One clerk at a salary of.....$1,200
One stenographer at a salary of..... 900
For extra clerical assistance not to exceed..... 600

FOR THE OFFICE OF THE SECRETARY OF STATE.

One chief clerk (who shall give bond) at a salary of.....$1,500
One corporation clerk at a salary of..... 1,200
One assistant corporation clerk at a salary of..... 1,200
One stenographer at a salary of..... 900
One librarian of document department at a salary of..... 1,200
One document clerk and accountant for storage building not to exceed..... 1,200
For additional clerical assistance, not to exceed..... 900
Indexing vaults, if supplied with steel cases as contemplated, not to exceed..... 600
One janitor and messenger at a salary of..... 900
Shipping help and cataloguing in storage building, not to exceed.. 1,000

FOR THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION.

One stenographer at a salary of..... 900
One janitor at a salary of..... 720
For extra clerical assistance, not to exceed..... 600

FOR THE SUPREME COURT ROOMS.

One bailiff who shall also act as messenger and perform such other duties as the supreme court may order, at a salary of..... 780
For stenographic and messenger service, not to exceed..... 5,400

FOR THE OFFICE OF TREASURER OF STATE.

One cashier (who shall give bond) at a salary of..... 1,400
One revenue clerk at a salary of..... 1,200
One general clerk at a salary of..... 900

One stenographer at a salary of..... 900
One watchman who shall be janitor at a salary of..... 780
For additional clerical assistance..... 500

FOR THE HISTORICAL DEPARTMENT.

Assistant curator at a salary of..... 1,200
Second assistant curator, clerk and stenographer at a salary of.... 1,000
One museum curator, at a salary of..... 1,000
Two janitors for the historical building, at salaries, each of,..... 720
One nightwatchman at a salary of..... 720

FOR THE EXECUTIVE COUNCIL.

One secretary at a salary of.....$1,800
One clerk at a salary of..... 1,400
One clerk at a salary of..... 840
One postmaster at a salary of..... 1,000
One mail carrier with team and wagon who shall also act as janitor for the secretary of the Executive Council and supply room, at a salary of..... 1,000
For additional clerical assistance not to exceed..... 900

FOR THE BOARD OF CONTROL.

One chief accountant at a salary of not to exceed..... 1,800
One estimate clerk at a salary of not to exceed..... 900
Four stenographers and clerks at salaries, each, of not to exceed.., 900
One storekeeper and clerk at a salary of not to exceed..... 840
One clerk and janitor at a salary of not to exceed..... 780
For extra clerical assistance, not to exceed..... 2,000

FOR THE DEPARTMENT OF GEOLOGICAL SURVEY.

One secretary and clerk at a salary of.....$1,000

FOR THE OFFICE OF STATE MINE INSPECTOR.

One clerk at a salary of.....$ 900

FOR WEATHER AND CROP SERVICE.

Director's salary..... 1,500
Clerical assistance not to exceed..... 720

FOR THE OFFICE OF THE STATE BOARD OF HEALTH.

One clerk and stenographer at a salary of..... 900

FOR THE OFFICE OF SUPREME COURT REPORTER.

One clerk at a salary of not to exceed..... 720

FOR THE OFFICE OF THE LIBRARY COMMISSION.

One secretary at a salary of..... 1,600
One librarian (traveling library) at a salary of..... 900
One library organizer at a salary of..... 720
One clerk and general assistant not to exceed..... 600
For extra help as needed, including service of shipping clerk not to exceed..... 720

FOR THE OFFICE OF THE STATE PHARMACY COMMISSION.

One secretary at a salary of..... 1,500
For extra clerical assistance not to exceed..... 200

FOR THE OFFICE OF THE FOOD AND DAIRY COMMISSIONER.

For clerical assistance, not to exceed..... 900

For the offices of the department of agriculture (agricultural society) and state board of health there shall be one janitor to be selected by them at a salary of.....$720

For the offices of the pharmacy department, dairy department, mining inspector and labor bureau there shall be one janitor selected by the custodian at a salary of.....720

For the offices of the adjutant general, G. A. R. department and geological survey, there shall be one janitor selected by them at a salary of.....$720

For the offices of the railroad commissioners, horticultural department and attorney general, there shall be one janitor selected by them at a salary of.....$720

The last four janitors shall be upon the custodian's pay roll.

TO BE EMPLOYED BY THE CUSTODIAN OF PUBLIC BUILDINGS AND PROPERTY:

One chief engineer at a salary of not to exceed	$1,500
One first assistant engineer at a salary not to exceed	1,200
One second assistant engineer at a salary not to exceed	1,000
One electrician and machinist at a salary not to exceed	1,200
One carpenter at a salary not to exceed	1,000
One chief of police at a salary of	900
Two night watchmen at salaries, each, of	900
Necessary firemen (estimated at an average of seven) at salaries, each, of	780
Eight floor janitors at salaries, each, of	720
One storage building janitor at a salary of	720
One janitress at a salary of	720
One elevator tender at a salary of	780
Allowance for washing towels not to exceed	170
One florist for six months at a salary of not to exceed $70 per month or total of	420
Two yardmen for six months at salaries each of $60, or total of	720
Extra help as may be needed, not to exceed	670

The janitors employed in the capitol under the provisions of this resolution shall at all times be subject to the orders of the custodian to perform any additional service, by way of rendering assistance to the state house engineers, carpenters, supply department, historical department, or any other labor that may be necessary about the Capitol or upon the Capitol grounds, at such hours as they are not necessarily employed in their regular janitor work, and it shall be the duty of the custodian to assign such janitors to any such extra service, and he may discharge any janitor for incompentency, neglect of duty or insubordination.

All clerks, janitors and other employes in the departments named in this resolution shall be under the control of the head of the department and may by him be transferred to such work as he shall direct in assisting other clerks or elsewhere in the different branches of the service of the department.

Any head of a department may at any time discharge any clerk or other employe in such department for negligence of duty, insubordination or incapacity.

HOUSE MESSAGES CONSIDERED.

House returns Senate file No. 337, a bill for an act amending section twenty-one hundred twenty-six (2126) of the code relative to railway rates.

Senator Smith of Mitchell moved to reconsider the vote by which Senate file No. 337 passed the Senate.

Carried.

Senator Smith of Mitchell moved to reconsider the vote by which Senate file No. 337 passed to its third reading.

Carried.

Senator Smith of Mitchell offered the following amendment and moved its adoption.

Amend the bill by inserting after the word "points" in line four (4) section one (1), the following words, "as between railroads operated by steam."

Adopted.

Senator Smith of Mitchell moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Turner, Warren, Whipple, Wilson, of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun —40.

The nays were:

None.

Absent or not voting:

Bruce, Crawford, Crossley, Gale, Kinne, Lambert, Taylor, Wade, Winne, Young of Washington—10.

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

HOUSE MESSAGES CONSIDERED.

House adopted the report of conference committee on House file No. 74 and amendments recommended by the committee, adopted, and passed the bill as amended, a bill for an act to regulate the employment of child labor to provide for the enforcement thereof (additional to chapter six (6) title twelve (12) of the code.)

Senator Dowell from the Conference committee appointed on House file No. 74, submitted the following report:

CONFERENCE COMMITTEE REPORT ON HOUSE FILE NO. 74.

MR. PRESIDENT—Your Conference committee heretofore appointed upon House file No. 74, a bill for an act to regulate the employment of child labor and to provide for the enforcement thereof, (additional to chapter eight (8), title twelve (XII), of the code,) respectfully report that they have had the same under consideration, and have unanimously agreed to recommend the adoption of the following amendments to the substitute for said bill, which passed the House, and respectfully recommend the adoption thereof, and that the House and Senate each recede from their respective actions in so far as they are inconsistent with the recommedations.

C. C. DOWELL
O. B. COURTRIGHT
W. P. WHIPPLE.
JOHN H. JACKSON
WILLIAM S. HART
TIM C. CLAREY
THEO. CARSTENSEN
B. F. CUMMINGS.
Conference Committee.

RECOMMENDATIONS OF CONFERENCE COMMITTEE UPON HOUSE FILE NO. 74.

1st. That section one (1) of substitute for said bill which passed the House, be amended to read as follows:

Section 1. No person under fourteen years of age shall be employed with or without wages or compensation in any mine, manufacturing establishment, factory, mill, shop, laundry, slaughter house or packing house, or in any store or mercantile establishment where more than eight persons are employed or in the operation of any freight or passenger elevator.

2nd. That section two (2) of such substitute be amended by inserting after the word "depraved" in the fourth line thereof, the following: "or at any work in which the handling or use of gunpowder, dynamite or other like explosive is required."

3rd. That section three (3) of said substitute be amended by substituting for the period at the end of said section, a comma, and adding thereafter, the following: "but the provisions of this section shall not apply to persons employed in husking sheds or other places connected with canning factories where vegetables or grain are prepared for canning and in which no machinery is operated.

4th. That section four of said substitute be amended so as to read as follows:

Section 4. Every person, firm or corporation having in its employ, at any of the places or in any of the occupatians recited in section 1 of this act, any persons under sixteen years of age shall cause to be posted at some conspicuous location at the place of such employment, and where same shall be accessible to inspection at all times during business hours, a list of the names of such persons, giving after each name, the date of birth of such person and the date when employed.

5th. That section five (5) of such substitute be amended by striking therefrom the following: "or who shall falsely certify to any of the facts with reference to the persons employed by such person, firm or corporation, as required by this act" appearing in the nineteenth, twentieth and twenty-first lines of said section and the words "or who fails to furnish the information with reference to such employment to the commissioner of the Bureau of Labor Statistics as required by this act" appearing in the twenty-fourth, twenty-fifth and twenty-sixth lines of such section.

House file No. 74, a bill for an act to regulate the employment of child labor and to provide for the enforcement thereof, (additional to chapter eight (8), title twelve (XII) of the code), was taken up and considered, Senator Dowell moved that the following amendment recommended by the Conference committee be adopted.

RECOMMENDATIONS OF CONFERENCE COMMITTEE UPON HOUSE FILE NO. 74.

1st. That section one (1) of substitute for said bill which passed the House, be amended so as to read as follows:

Section 1. No person under fourteen years of age shall be employed with or without wages or compensation in any mine, manufacturing establishment, factory, mill, shop, laundry, slaughter house or packing house, or in any store or mercantile establishment where more than eight persons are employed, or in the operation of any freight or passenger elevator.

2nd. That section two (2) of such substitute be amended by inserting after the word "depraved" in the fourth line thereof, the following: "or at any work in which the handling or use of gun powder, dynamite or other like explosives is required."

3rd. That section three (3) of said substitute be amended by substituting for the period at the end of said section, a comma, and adding thereafter, the following: "but the provisions of this section shall not apply to persons employed in husking sheds or other places connected with canning factories where vegetables or grain are prepared for canning and in which no machinery is operated.

4th. That section four (4) of said substitute be amended so as to read as follows:

Section 4. Every person, firm or corporation having in its employ, at any of the places or in any of the occupations recited in section one of this act, any persons under sixteen years of age, shall cause to be posted at some conspicuous location at the place of such employment, and where same shall be accessible to inspection at all times during business hours, a list of the names of such persons, giving after each name, the date of birth of such person and the date when employed.

5th. That section five (5) of such substitute be amended by striking therefrom the following: "or who shall falsely certify to any of the facts with reference to the persons employed by such person, firm or corporation, as required by this act" appearing in the nineteenth, twentieth and twenty-first lines of said section and the words "or who fails to furnish the information with reference to such employment to the Commissioner of the Bureau of Labor Statistics as required by this act" appearing in the twenty-fourth, twenty-fifth and twenty-sixth lines of such section.

On the question, Shall the amendments be adopted?

The yeas were:

Bleakly, Courtright, Dowell, Dunham, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hasselquist, Hayward, Hogue, Hughes, Jackson, Jamison, Jones, Lambert, Lewis, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stuckslager, Warren, Whipple, Wilson of Fayette, Young of Calhoun, Young of Washington—32.

The nays were:

Brooks, Turner, Young of Lee—3.

Absent or not voting:

Bruce, Crawford, Crossley, Eckles, Hartshorn, Hopkins, Kimmel, Kinne, Lyons, Molsberry, Stookey, Taylor, Wade, Winne, Wilson of Clinton—15.

So the amendments were adopted.

Senator Dowell moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hughes, Jackson, Jones, Kimmel, Lewis, Maytag, Newberry, Saunders, Spaulding,

Stirton, Stookey, Stuckslager, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Calhoun, Young of Washington—36.

The nays were:

Jamison, Lambert, Smith of Des Moines—3.

Absent or not voting:

Bruce, Crawford, Hopkins, Kinne, Lyons, Smith of Des Moines, Smith of Mitchell, Taylor, Wade, Winne, Young of Lee, Molsberry—11.

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

It was moved that the Senate do now go into executive session. Carried.

The Senate went into executive session.

The Senate resumed regular session.

INTRODUCTION OF BILLS.

By Senator Jones, Senate file No. 346, a bill for an act legalizing a special election held at Oskaloosa, Mahaska county, Iowa, on the sixteenth day of August 1905, for the purpose of voting a tax of five per centum on the assessed valuation of the property of said City in aid of the Oskaloosa and Buxton Electric Railway Company, etc.

Read first and second time and referred to Sifting committee.

Senator Garst moved that the Senate do now adjourn.

Carried.

Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Tuesday, April 3, 1906.

Senate met in regular session at 9 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. F. C. Gonzales of Kellogg, Iowa.

PETITIONS AND MEMORIALS.

Senator Stookey presented petition of twenty-two citizens of Mt. Ayr, Iowa, favoring the passage of House file No. 183, known as the Exemption bill.

Referred to Sifting committee.

Senator Stookey presented petition of thirty-one citizens of Lorimer, Iowa, urging the passage of the Exemption law as set forth in House file No. 183.

Referred to Sifting committee.

Senator Jones presented petition of citizens of Evans, Iowa, favoring the passage of House file No. 183, relative to exemptions.

Referred to Sifting committee.

Senator Bleakly presented petition of citizens of Westfield, Iowa, urging the passage of House file No. 183, known as the Exemption bill.

Referred to Sifting committee.

HOUSE MESSAGES CONSIDERED.

House concurred in Senate amendments to House file No. 126, a bill for an act to amend chapter one hundred one (101), laws of the Thirtieth General Assembly, relative to establishing and maintaining a State Board of Health laboratory at Iowa City.

Ordered passed on file.

House concurred in Senate amendments to House file No. 103, a bill for an act relating to the manner of serving notice or process on corporations organized under the laws of Iowa but having no resident officer on whom service may be had.

Ordered passed on file.

House concurred in Senate amendments to House file No. 129, a bill for an act providing for the care and permanent preservation of the public archives and making an appropriation therefor.

Ordered passed on file.

House has concurred in Senate amendments to House file No. 167, a bill for an act relating to fish and game and making appropriations for the Fish and Game Commission of the State of Iowa.

Ordered passed on file.

House asks the recall of Senate file No. 224, a bill for an act to amend the law as it appears in chapter thirty-six (36) of the laws of the Thirtieth General Assembly relating to park commissioners.

Ordered passed on file.

House concurred in Senate amendments to House file No. 274, a bill for an act to repeal section twenty five hundred (2500) and twenty-five hundred two (2502) of the code relating to geological surveys and the duties of the State Geologist and to enact a substitute therefor.

Ordered passed on file.

House has concurred in part and refuses to concur in part in Senate amendments to House file No. 330, a bill for an act to repeal sections one thousand fifty-seven (1057), one thousand sixty-four (1064), one thousand sixty-five (1065), one thousand sixty-six (1066), one thousand seventy (1070), one thousand seventy-one (1071) and to enact substitutes therefor, relating to the election of officers and the terms of office.

Ordered passed on file.

House file No. 357, a bill for an act to apportion the State into Representative Districts and declare the ratio of representation.

Read first and second times and referred to Sifting Committee.

Senate file No. 279, a bill for an act additional to and amendatory of chapter one (1), title eleven (XI), of the code, and the law as it appears in chapter one (1), title eleven (XI) of the supplement to the code, and chapter seventy-seven (77) of the acts of the Thirtieth General Assembly, relative to state military force and Iowa National Guard.

Ordered passed on file.

House concurred in Senate amendments to House file No. 331, a bill for an act to amend section one hundred forty-six (146) of the code relating to the term of office of the Custodian of Public Buildings.

Ordered passed on file.

House concurred in Senate amendments to House file No. 86, a bill for an act to require and regulate the registration of births and deaths in the State of Iowa, and to repeal sections twenty-five hundred sixty-six (2566) and twenty-five hundred sixty-seven (2567) of the code and to repeal chapter one hundred (100) laws of the Thirtieth General Assembly.

Ordered passed on file.

House concurred in Senate amendments to House file No. 338, a bill for an act to secure in matters of religion a free exercise of religious preference and practice to all inmates of state, county and city institutions maintained for the detention of persons held by commital or confinement in any state, county or city institutions, whether penal, correctional, charitable or educational or in any place of confinement maintained and supported by public funds.

Ordered passed on file.

House file No. 412, a bill for an act to protect the public health and the health of domestic animals by providing for the inspection of registered cattle brought into the state for breeding or dairy purposes.

Read first and second time and referred to Sifting committee.

House has concurred in Senate amendments to House file No. 328 and further amended the same, House file No. 328, a bill for an act to repeal section one hundred twenty-three (123) of the code as the same is found in the supplement to the code and to enact a substitute therefor relating to the biennial fiscal term.

Ordered passed on file.

House receded from its amendments to Senate file No. 12, in which the Senate refused to concur, a bill for an act making it unlawful for any steam railway or interurban railway doing business in the state, or any officer, agent or representative thereof, to issue, give or offer to any city, county, district or state officer, including judges and members of the General Assembly, or to any delegate to a political convention to use in attending such convention or return therefrom, or to any member of any political committee or employee thereof, or any candidate for a city, county, district or state office, or to jurors in state or federal courts, any free pass, ticket or other privilege at rates less than charged the public, and prohibiting any city, county, district or state officer and any delegate to a county, district or state political convention, any candidate for a county, district or state office, and any member of any political committee or any employee thereof, and any juror in state or federal courts, to request or use any such free pass, ticket or privilege, sold or conferred at a less rate than the rate charged the public, over any steam railroad or interurban railroad and providing a penalty therefor.

Ordered passed on file.

The following communication was received and read:

CENTERVILLE, IOWA, APRIL 2, 1906.

Hon. John Herriott, President of the Senate, Des Moines, Iowa,

MY DEAR SIR—I desire to express to you and my fellow Senators, my heartfelt thanks for your kind words of sympathy and token of remembrance in this hour of my sad bereavement.

Sincerely Yours,
L. L. Taylor.

REPORTS OF COMMITTEES.

Senator Stookey, from the committee on Public Buildings submitted the following report:

MR. PRESIDENT—Your committee on Public Buildings to whom was referred Senate file No. 171, a bill for an act to assign rooms eighteen (18) and nineteen (19) to the Horticultural Society 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.

MARION F. STOOKEY,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Hayward, 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 po. 17, a bill for an act relating to revenue and providing for a license fee upon corporations and making an appropriation for the purpose of carrying out the objects of this act, beg leave to report that they have had the same under consideration and have instructed me to report the same to the Sifting committee without recommendation, except that the following substitute was agreed to by the committee.

W. C. HAYWARD,
Chairman.

Referred to Sifting committee.

SUBSTITUTE FOR SENATE FILE TO. 17.

A BILL for an act to require corporations to make an annual report, and to pay an annual license fee to the state.

Be it Enacted by the Genere1 Assembly of the State of Iowa:

Section 1. Every corporation authorized to transact business in this state shall, between the first day of July and the first day of September of each year, make a report to the secretary of state upon blanks prepared by him for that purpose, which report shall contain the following information:

1. Name and postoffice address of the corporation.

2. The amount of capital stock authorized.

3. The amount of capital stock for which certificates have been issued and are outstanding.

4. The par value of the stock of the corporation, whether common or preferred, designating the amount of each.

5. The names and postoffice address of the officers and directors of the corporation.

6. Whether any change in the place of business has been made since the last report.

Section 2. The secretary of state shall, between the first day of May and the first day of July of each year, mail to each corporation subject to the provisions of this act, a blank form for the report herein required, which report shall be signed and sworn to by the president, vice president, secretary or treasurer of the coporation. Any corporation organized between the first day of January and the first day of July of any year shall not be required to make such report until the first day of July of the year following its organization.

Section 3. Every such corporation shall pay to the secretary of state an annual license fee as follows: Corporations with a paid up capital not exceeding five thousand dollars, two and one-half dollars; corporations with a paid of capital of more than five thousand and not exceeding ten thousand dollars, five dollars; corporations with a paid up capital of more than ten thousand and not exceeding fifty thousand

dollars, ten dollars; corporations with a paid up capital stock of more than fifty thousand and not exceeding one hundred thousand dollars, fifteen dollars; corporations with a paid up capital of more than one hundred thousand and not exceeding five hundred thousand dollars, twenty dollars; corporations with a paid up capital of more than five hundred thousand dollars, twenty-five dollars. The fees herein provided for shall be paid to the state treasurer by the secretary of state in the same manner as other fees of his office.

Section 4. On the first Tuesday of September of each year, the secretary of state shall mail, by registered letter, to each corporation which has failed to make the report and pay the fee required by this act, a notice containing a statement of the amount of such fee, and that unless the same shall be paid within sixty days from the mailing of such notice, the authority of such corporation, if it be a foreign corporation, to transact business in the state, will be revoked and suspended by the secretary of state; and if such corporation be a domestic corporation, an action will be commenced under the provisions of this act to restrain it from transacting business in the state.

Section 5. If any corporation shall fail to make the report and to pay the fee herein required within sixty days after notice has been given to such corporation as provided in section four hereof, the secretary of state may revoke and suspend the authority of such corporation, if it be a foreign corporation, to transact business in this state. If such delinquent corporation be a domestic corporation, the matter of its delinquency and all papers connected therewith, shall be referred by the secretary of state to the attorney general, who may thereupon, by an action brought in the proper court of the state, restrain and enjoin such domestic corporation from exercising its franchise in the state and from transatcing any business therein, and may, if circumstances demand, wind up the affairs of such corporation through the intervention of a receiver appointed by the court in which such action is brought.

Section 6. This act being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

The substitute was read first and second time and referred to the Sifting committee.

Senator Hayward, from the committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your committee on Ways and Means to whom was referred House file No. 183, a bill for an act to repeal section twenty-nine hundred seventy-two (2972) of the code, and enact a substitute therefor, relating to exemption to the heads of families resident 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 same be referred to the Sifting committee.

W. C. HAYWARD,
Chairman.

Referred to the Sifting committee.

INTRODUCTION OF BILLS.

By Senator Courtright, Senate file No. 347, a bill for an act to amend the law as it appears in section twenty hundred twenty-six (2026) of the supplement to the code, relating to street railways over highways.

Read first and second time and referred to Sifting committee.

Senator Hasselquist, from the special committee appointed to draft suitable resolutions respecting the death of the late Dr. James D. Wright of Chariton, Lucas county, Iowa, submitted the following report:

Mr. President:— Your special committee appointed to draft resolutions of respect to the memory, life, character and public services to his state and nation, of the late Dr. James D. Wright of Chariton, Lucas County, Iowa, respectfully submit the following:

Dr. James D. Wright, who was an honored and trusted member of the Senate of the Twelvth and Thirteenth eneral Assemblies, departed this life December 26th, 1905, at Chariton, Lucas County, Iowa, in his 86th year.

Dr. Wright was born in Belmont County, Ohio, November 30th, 1820, of Quaker parentage, his father's family having come to that locality as pioneers; he attended school in the winter and worked on the farm in the summer as was the custom of the pioneer children. Desiring further education, he attended a near-by academy and later began the study of medicine in Cinncinnati in 1843. After graduating he went to New York to continue his medical studies in the College of Physicians and Surgeons, from which institution he graduated and returned to Ohio for the practice of his profession.

He was married in 1847 to Miss Margaret Ann Evans and four children were born to them; his home was the center of his interests during the thirty-seven years before the family circle was broken.

In 1856 he decided to move west with his family and settled in Knoxville, Iowa. He took an active part in organizing a County Fair Association, believing that Iowa was to become a great agricultural state. He also became identified with the State Board of Agriculture and was a director eleven years. He believed the State Fair should be an educational influence in the state in developing agriculture and fine stock and took an active part in bringing about this result.

In 1861 he moved to Chariton, having purchased a flour mill there. Later he enlisted as a private in the 46th Iowa, but was soon made surgeon of the 47th Iowa. Owing to the illness of other surgeons, he assumed the care of an additional regiment, a gun-boat aground in the river and the refugee hospital. His health was soon affected by the strain, but he persisted in his determination to remain until his regiment was mustered out.

He was elected to the State Senate in 1867 from the 5th Senatorial district, and served in the Twelvth and Thirteenth General Assemblies with credit to himself and his district, his clearness of mind and integrity of purpose giving him much influence with his fellow members. He was elected a trustee of the State College of Agriculture at Ames and served during the building and organization of the school, and always retained an active interest in its progress.

He was also associated with the early history and had a part in building the Burlington railroad in Iowa.

Although stricken first with paralysis in 1874, by the force of his indomitable will, and resolute courage, he arose above the affliction, and, although always under the shadow of the disease, he lived a life of cheerfulness, retaining a keen interest in the events of the day.

In the hearts of his friends will remain the memory of a man whose life stood for something definite; steadiness of purpose, integrity, kindliness and the modesty that is the mark of a gentleman.

Resolved by the Senate of the Thirty-first General Assembly of the State of Iowa, That this memorial be adopted, spread at length upon our Journal and that an engrossed copy of these resolutions attested by the President and Secretary of this Senate, be presented, with our sincere sympathy, to the bereaved family of the deceased.

R. A. HASSELQUIST,
JAS. H. JAMISON,
MARION F. STOOKEY.

Senator Hasselquist spoke as follows:

Mr. President and Fellow Senators:— It is with a sense of deep sadness that I at this time arise desiring to pay a humble tribute to the memory of him who is the subject of these resolutions.

Some time during the still white hours of the early morning following a happy Christmas day, the undaunted soul of James D. Wright winged its way into the great beyond. The quiet summons came in a stroke of paralysis as he slept, at the home of his son Jenk E. Wright.

He was buried from the home of his daughter, Mrs. Joseph A. Brown, Thursday afternoon, December 28th, at 2 o'clock. The services were marked by simplicity in keeping with his life and Quaker faith. A prayer was offered by Rev. F. B. Palmer of the Baptist church and hymns sung by a male quartette. The services at the grave were in charge of the G. A. R.

Dr. Wright had been suffering from a slight indisposition and while he was unable to participate in the festivities of the day, he seemed, to his family, to have thrown off the weakness of the previous days and to have almost regained his usual strength, and in his always happy, cheery and interesting way had talked of the days that were gone, especially of those times when "the boys in blue answered to their country's call."

James D. Wright was born in Belmont County, Ohio, November 30, 1820. His grandfather came from the city of Dublin, Ireland, in 1802 and entered, with others, a section of land where the town of Belmont now stands. His mother's ancestors come from England to Maryland with Lord Baltimore and thence to Ohio.

As a lad he walked three miles to school in winter, learning his a, b, c's from crude letters pasted on a paddle. The children sat on benches made of slabs, the schoolhouse being of hewn logs. He did not like to go to school and as his father did not believe in idleness, he worked on the farm much of the time, going to school intermittently. His fondness for horses made life on the farm a delight to him. When sixteen years of age he teamed across the mountains, over the government pike to Baltimore, and he often recalled the refrain of a song sung by teamsters in condemnation of the railroad of which there was talk of building and which they believed would be a calamity. After a few glimpses into the world, he realized that he must have an education so he left home and went to school at Monroe Academy at Woodfield for about three years. At the end of that time he decided to study medicine and went for that purpose to Cinncinnati in 1843, where he graduated. He then went to New York City, a journey at that time fraught with great interest and attended with many difficulties, as the journey was made by boat on the Ohio, by stage across the state from Wheeling to Cleveland, then again by boat to Montreal and finally down the Hudson to the city. He has often said that it was the most interesting trip that he had ever made. At that time there was neither telegraph, telephone nor railroad.

After reaching New York he entered the College of Physicians and Surgeons and was appointed district physician, having under his jurisdiction that part of New York City known as "Five Points," at that time considered one of the worst and most degraded places in the civilized world.

Varied experiences came to him "a green boy from the back woods" as he said, and his observation and the wide knowledge gained in ministering to all kinds and classes of humanity, helped to develop his judgment and professional skill. He returned to practice in his native town and rode on horseback far and wide through the country, enduring the hardshinps common to physicians in the pioneer days.

At the time of the Mexican War he determined to go as a surgeon, but on reaching Nashville, Tenn., he was taken very ill and obliged to return home.

On March 3, 1847, he married Margaret Ann Evans, to whose loving kindness, strength of character and wise judgment, he attributed the continual happiness of the thirty-seven years of their married life.

He took an active part in the building of the B. and O. railroad through Ohio. In 1853, owing to ill health, he, with his wife, visited the west, traveling over Indiana, Illinois and Iowa as far west as Council Bluffs where, after waiting three days "for the wind to stop blowing so the river could be crossed to Omaha' he turned back. In the fall of 1856 they settled in Knoxville, Iowa, having been advised "not to go farther west than the Des Moines river, as the Great American Desert would soon be reached and the land was of little value except in strips near the streams."

The winters of 1856 and 1857 were of extreme rigor and many were the hardships encountered. Strange indeed was the country to the wife and three children who came in their Quaker bonnets and speaking "the plain language," for, true to the inheritance of generations who lay in the Quaker burying ground in Dublin, the faith had been fostered in the soil of the Ohio wilderness.

In 1861 he moved to Chariton and purchased the flour mill. Later in the year he offered his services to Governor Kirkwood as a surgeon in the army but being unable to find any one who could run the mill, he decided he must postpone his going and "could do more good by grinding at the mill and helping the families of the boys who were gone," as there was no other mill within twenty-five miles. When the call came again in 1864, he succeeded in getting some one to take charge of the mill and enlisted as a private in the 46th Iowa. He was soon made a surgeon of the 47th Iowa. Owing to the illness of other surgeons, he assumed the care of an additional regiment, a gun-boat aground in the river and the refugee hospital. His health was soon affected by the strain but he persisted in his determination to remain until his regiment was mustered out.

In an autobiographical sketch prepared by him for the Lucas County Historical Society, his love for the state is evidenced in the statement that "I have traveled from the Atlantic to the Pacific and have seen many fine places but considering climate, health and happiness, Iowa suits me as well as any place I have ever seen."

It was always a delight to his friends to listen to Dr. Wright's reminiscenses of early days and pioneer experiences, for his gentle humor and his appreciation of the relation of personal happenings to the larger events which were then making history, gave interest to whatever he had to say. Always modest and unassuming, one never knew what an important factor he often was in many of these events.

His strong affection for his friends, coupled with a remarkable memory, and his charity for his fellow men gave him a most entertaining fund of anecdotes. Always a great reader, he never lost interest in the events of the day. He left in manuscript his reminiscences of early years which will be a priceless legacy to his children and grandchildren.

On Thanksgiving day his eight-fifth birthday was celebrated most happily at the home of his daughter, Mrs. J. A. Brown. Scores of letters of congratulation came to him from his old friends from all parts of the country and the intervening days were filled with happy reminiscences as he acknowledged these letters.

He had said, "I try not to worry but to be as cheerful as I can, knowing the end will come some time. I have expected it a long time." In the hearts of his friends will remain the memory of a man whose life stood for something definite; steadiness of purpose, integrity, kindliness and the modesty that is a mark of a true gentleman.

Senator Hasselquist moved the adoption of the report and resolutions.

Adopted unanimously by a standing vote.

Senator Saunders moved that the remarks made by Senator Hasselquist be printed in the Journal.

Carried.

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 herewith returned House file No. 325, a bill for an act to amend section forty-eight hundred twenty-two (4822) of the code, relative to malicious injuries to buildings and fixtures.

C. R. BENEDICT,
Chief Clerk

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate file No. 166, a bill for an act providing for the compilation of a roster of soldiers, sailors and marines, survivors of the Mexican and Civil wars, now living in Iowa, and making an appropriation therefor.

C. R. BENEDICT,
Chief Clerk.

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the Senate concurrent resolution relative to extending an invitation to President Roosevelt to attend the reunion of the National Society of the Army of the Philippines, to be held at Des Moines, August 13, 14 and 15, 1906.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 111, by Young of Lee, a bill for an act appropriating the sum of two thousand dollars ($2000.00) to be paid to Mrs. John Stein in settlement of all claims against the State of Iowa by reason of the death of John Stein, who was killed by a falling scaffold at the Ft. Madison penitentiary while working under the orders of the Superintendent of Construction.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 218, a bill for an act to amend section eight hundred fifty-five (855) of the code, relative to park commissioners and their powers.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDNET—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 134, a bill for an act to amend the law as it appears in section seven hundred forty-five (745) of the supplement to the code, relating to the purchase or erection of water works by cities and conferring additional powers with reference thereto.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Senate file No. 414, a bill for an act to amend section thirty-three hundred five (3305) of the code, relating to limitation of time for granting letters of administration on estates of decedents.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 416, a bill for an act to legalize the acts done and the ordinances and resolutions passed by the town council of Manson, Calhoun county, Iowa.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 415, a bill for an act to amend sections three hundred fifty-five (355) and three hundred fifty-nine (359) of the code relating to security by bonds and guarantee companies as sureties.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 319, a bill for an act to amend section one (1) of chapter eighty-nine (89) of the laws of the Thirtieth General Assembly relating to the work of the State Veterinary Surgeon.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 341, a bill for an act to appropriate the sum of $441.70 for the relief of Geo. F. Hunt, late ordnance sergeant in the Adjutant General's department, of balance of salary due under joint resolution number nine (9), acts of the Twenty-sixth General Assembly, and directing the manner of the payment of such appropriation.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 410, a bill for an act providing for the appointment of a committee to investigate and report the feasibility of establishing a twine plant in a penal institution in Iowa, and making an appropriation therefor.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

House file No. 403, a bill for an act making appropriations for the construction, enlargement, equipment, repair, improvement, land and contingent funds for the State Hospitals, Penitentiaries, Industrial Schools, Institution for Feeble Minded Children, College for the Blind, School for the Deaf, Iowa Soldiers' Home and Iowa Soldiers' Orphans' Home, and authorizing a change in the use of certain other appropriations heretofore made.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

Senate file No. 109, a bill for an act providing for the registration of stallions and fixing penalties for the violation thereof, with report of committee recommending a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Brooks moved that the substitute recommended by the committee be substituted for the original bill.

Carried.

Senator Brooks moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Harper, Hasselquist, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stuckslager, Turner, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—40.

The nays were:

None.

Absent or not voting:

Crawford, Gillilland, Hartshorn, Hayward, Lambert, Lyons, Stookey, Taylor, Smith of Mitchell, Whipple—10.

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

HOUSE MESSAGES CONSIDERED.

House returns House file No. 325, a bill for an act to amend section forty-eight hundred twenty-two (4822) of the code, relative to malicious injuries to buildings and fixtures.

Ordered passed on file.

House file No. 403, a bill for an act making appropriations for the construction, enlargement, equipment, repair, improvement, land and contingent funds for the State Hospitals, Penitentiaries, Industrial Schools, Institution for Feeble Minded Children, College for the Blind, School for the Deaf, Iowa Soldiers' Home and Iowa Soldiers' Orphans' Home, and authorizing a change in the use of certain other appropriations heretofore made.

Read first and second time and referred to Sifting committee.

House has indefinitely postponed Senate file No. 166, a bill for an act providing for the compilation of a roster of soldiers, sailors and marines, survivors of the Mexican and Civil Wars, now living in Iowa, and making an appropriation therefor.

Ordered passed on file.

Senate concurrent resolution relative to extending an invitation to President Roosevelt to attend the reunion of the National Society of the Army of the Philippines, to be held at Des Moines, August 13, 14 and 15, 1906.

Ordered passed on file.

Senate file No. 111, By Young of Lee, a bill for an act appropriating the sum of two thousand ($2,000.00) dollars to be paid to Mrs. John Stein, in settlement of all claims against the State of Iowa by reason of the death of John Stein, who was killed by a falling scaffold at the Fort Madison penitentiary while working under the orders of the Superintendent of Construction.

Ordered passed on file.

House amended and passed Senate file No. 218, a bill for an act to amend section eight hundred fifty-five (855) of the code relative to park commissioners and their powers.

Ordered passed on file.

THIRD READING OF BILLS.

By unanimous consent Senate file No. 218, a bill for an act to amend section eight hundred fifty-five (855) of the code, relative to park commissioners and their power was taken up and considered.

Senator Courtright moved that the Senate concur in the following House amendments: Amend Senate file No. 218 by striking out the third line of the printed bill the words, "owned by them," and inserting in lieu thereof the words "held by them as trustees."

On the question, Shall the Senate concur in the House amendments?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dunham, Eckles, Ellrick, Ericson, Garst, Gillilland, Harper, Hasselquist, Hayward, Hughes, Jackson, Jamison, Kimmel, Kinne, Lambert, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Warren, Whipple, Wilson of Clinton, Winne, Young of Washington—34.

The nays were:

None.

Absent or not voting.

Crawford, Dowell, Gale, Hartshorn, Hogue, Hopkins, Jones, Lyons, Smith of Mitchell, Stuckslager, Taylor, Turner, Wade, Wilson of Fayette, Young of Lee, Young of Calhoun—16.

So the House amendments were concurred in.

HOUSE MESSAGES CONSIDERED.

House has substituted amended and passed Senate file No. 134, a bill for an act to amend the law as it appears in section seven hundred forty-five (745) of the supplement to the code, relating to the purchase or erection of waterworks by cities and conferring additional powers with reference thereto.

The substitute was read first and second time.

Senator Saunders moved that the Senate concur in the House substitute.

On the question, Shall the House substitute be concurred in?

The yeas were:

Bleakly, Brooks, Courtright, Crossley, Dowell, Dunham, Eckles, Ellrick, Ericson, Garst, Gillilland, Harper, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kinne, Lambert, Lewis, Molsberry, Newberry, Saunders, Smith of Des Moines, Stirton, Stookey, Stuckslager, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun, Young of Washington.—37

The nays were:

None.

Absent or not voting:

Bruce, Crawford, Gale, Hartshorn, Kimmel, Lyons, Maytag, Spaulding, Taylor, Turner, Wade, Smith of Mitchell, Wilson of Clinton.—13

So the House substitute was concurred in.

HOUSE MESSAGES CONSIDERED.

House file No. 414, a bill for an act to amend section thirty-three hundred five (3305) of the code relating to limitation of time for granting letters of administration on estates of decedents.

Read first and second time and referred to Sifting committee.

House file No. 416, a bill for an act to legalize the acts done and the ordinances and resolutions passed by the town council of Mason, Calhoun county, Iowa.

Read first and second time and referred to Sifting committee.

House file No. 415, a bill for an act to amend sections three hundred fifty-five (355) and three hundred fifty-nine (359) of the code relating to security by bonds and guarantee companies as sureties.

Read first and second time and referred to Sifting committee.

House file No. 319, a bill for an act to amend section one (1) of chapter eighty-nine (89) of the laws of the Thirtieth General Assembly, relating to the work of the State Veterinary Surgeon.

Read first and second time and referred to Sifting committee.

House file No. 341, a bill for an act to appropriate the sum of four hundred forty-one and seventy one-hundredths dollars ($441.70) for the relief of George F. Hunt, late ordnance Sergeant in the Adju-

tant General's Department of the State of Iowa on account of balance of salary due under joint resolution number 9, acts of the Twenty-sixth General Assembly, and directing the manner of the payment of such appropriation.

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

House file No. 410, a bill for an act providing for the appointment of a committee to investigate and report the feasibility of establishing a twine plant in a penal institution in Iowa and making an appropriation therefor.

Read first and second time and referred to Appropriation committee.

Senator Saunders moved that the request from the House for the return of Senate file No. 224 be granted.

Carried.

Senator Dowell was called to the chair at 10 o'clock A. M.

INTRODUCTION OF BILLS.

By Senator Maytag. Senate file No. 348, a bill for an act making appropriations for the benefit of the Benedict Home at Des Moines, the Florence Crittenden Home, the Boys and Girls Home, and the House of the Good Shepherd at Sioux City, and the Dubuque Rescue Home and the House of the Good Shepherd at Dubuque, and providing for the method of disbursement and against future appropriations of this kind.

Read first and second time and passed on file.

REPORT OF COMMITTEE.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations, to whom was referred Senate file No. 161, a bill for an act providing for the inside finishing and completion of the Historical, Memorial and Art Building, also for the purchase of steel book stacks, and making an appropriation therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended as follows:

Amend section one (1) of the original bill by striking out, in lines seven (7) and eight (8) the words and figures "one hundred and fifty thousand dollars ($150,000)" and inserting the words and figures "fifty thousand dollars ($50,000)" in lieu thereof, and when so amended the bill do pass.

WARREN GARST,
Chairman.

Adopted.

Senate file No. 161 a bill for an act providing for the inside finishing and completion of the Historical, Memorial and Art building. Also for the purchase of steel book stacks, and making an appropriation thereof, with report of committee recommending amendments and passage was taken up and considered.

The Chair announeed the Senate as in committee of the Whole.

The Chair announced the Senate as in regular session.

The Chair announced that the Committee of the Whole recommended the following amendments:

Amend section one (1) of the original bill by striking out, in lines seven and eight the words and figures "one hundred and fifty thousand dollars ($150.000)" and inserting the words and figures "fifty thousand dollars ($50,000)" in lieu thereof.

Senator Maytag moved the adoption of the amendments recommended by the committee of the Whole.

Adopted.

Senator Maytag moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hasselquist, Hopkins, Hughes, Jackson, Jamison, Kimmel, Kinne, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—37.

The nays were:

Turner—1.

Absent or not voting:

Brooks, Crawford, Hartshorn, Hayward, Hogue, Jones, Lambert, Lewis, Molsberry, Stookey, Stuckslager, Taylor—12.

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

House file No. 323, a bill for an act to amend section sixteen hundred fifty-seven-n (1657-n) chapter three (3) of the supplement to the code, with report of committee recommending passage was taken up, considered, and the report of the committee, adopted.

Senator Harper moved the previous question on the bill.

Carried.

Senator Warren moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Dowell, Eckles, Ericson, Gale, Garst, Gillilland, Hayward, Hogue, Hopkins, Hughes, Jamison, Kimmel, Lewis, Lyons, Newberry, Stirton, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Calhoun, Young of Washington.—28.

The nays were:

Crossley, Dunham, Elerick, Hasselquist, Jones, Molsberry, Saunders, Spaulding, Stookey.—9.

Absent or not voting:

Crawford, Harper, Hartshorn, Jackson, Kinne, Lambert, Maytag, Stuckslager, Taylor, Wade, Young of Lee, Smith of Des Moines, Smith of Mitchell.—13.

Senator Warren moved to amend the title by striking out the words "Agricultural Society," and insert in lieu thereof the words, "Department of Agriculture."

Carried.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended 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 amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 159, a bill for an act to amend the law as it appears in section seven hundred twenty-nine (729) of the supplement to the code and four hundred twenty-two (422) of the code relating to the powers of trustees of public libraries and provide for the use of same by residents outside of the corporate limits of the town or city in which the library is located, also addi tional to title four (4) chapter ten (10) of the code, relating to the powers of township trustees.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Concurrent resolution asking federal control on the subject of polygamy.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House concurred in the following Senate substitute amendment and amended title to the following bill in which the concurrence of the Senate is asked:

House No. 134, a bill for an act to provide for agricultural extension work by the Iowa State College of Agriculture and Mechanic Arts, and making an appropriation for the same.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 254, a bill for an act to amend chapter one (1) of the acts of the Twenty-seventh General Assembly relating to the publication of the laws of the State of Iowa.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

House file No. 418, a bill for an act legalizing a special election held at Oskaloosa, Mahaska county, Iowa, on the sixteenth, of August 1905, for the purpose of voting a tax of five per centum on assessed value of property of said city.

C. R. BENEDICT,
Chief Clerk.

INTRODUCTION OF BILLS.

By Senator Bruce, Senate file No. 349, a bill for an act to amend section eight hundred one (801) of the code relating to street improvements, sewers and preliminary notices of sewer improvements.

Read first and second time and referred to Sifting committee.

By Senator Stookey, Senate file No. 350, a bill for an act to legalize the submission to the voters of the city of Creston, Iowa, on the question whether an ordinance entitled "an ordinance authorizing the Des Moines, Winterset and Creston Electric Railway Company to construct, maintain and operate, by electric or other power than steam, street and interurban railways in, across, over and along the streets of the city of Creston, Iowa, and defining the powers and duties of said Company" should be approved and adopted.

Read first and second time and referred to Sifting committee.

By Senator Crossley, Senate file No. 351, a bill for an act to legalize the submission to the voters of the town of Macksburg, Iowa, of the question whether an ordinance entitled "An ordinance authorizing the Des Moines, Winterset and Creston Electric Railway Company to construct, maintain and operate, by electric or other power than steam, street and interurban railway in, across, over and along the streets of the town of Macksburg, Iowa, and defining the powers and duties of said Company,' should be approved and adopted.

Read first and second time and referred to Sifting committee.

THIRD READING OF BILLS.

Committee substitute for House file No. 403 a bill for an act making appropriations for the construction, enlargement, equipment, repair, improvement, land and contingent funds for the State Hospitals, Penitentiaries, Industrial Schools, Institution for Feeble Minded Children, College for the Blind, School for the Deaf, Iowa Soldiers' Home and Iowa Soldiers' Orphans' Home and authorizing a change in the use of certain other appropriations heretofore made, was taken up and considered.

The Chair announced the Senate as in Committee of the Whole.

The Chair announced the Senate as in regular session.

Senator Garst moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gilliland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—45.

The nays were:

None.

Absent or not voting:

Crawford, Hogue, Maytag, Taylor, Winne—5

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

REPORT OF COMMITTEE.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred House file No. 91, a bill for an act making an appropriation for the Department of Agriculture for the erection of a permanent steel amphitheatre on the State Fair 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 the same be indefinitely postponed.

WARREN GARST,
Chairman.

Senator Garst moved the adoption of the committee report recommending Senate file No. 91 for indefinite postponement.

A roll call was demanded.

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

The yeas were:

Bleakly, Bruce, Dunham, Eckles, Elerick, Garst, Gillilland, Harper, Hasselquist, Jackson, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newbury, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Wade, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Washington—29.

The nays were:

Brooks, Courtright, Crossley, Dowell, Ericson, Gale, Hogue, Hughes, Jamison, Jones, Kimmel, Saunders, Turner, Warren, Winne—15.

Absent or not voting:

Crawford, Hartshorn, Hayward, Hopkins, Taylor, Young of Calhoun—6.

So the report of the committee was adopted.

Senator Hughes moved that when the Senate adjourned it be until 2:00 o'clock P. M.

Carried.

THIRD READING OF BILLS.

Senate file No. 348, a bill for an act making appropriations for the benefit of the Benedict Home at Des Moines, the Florence Crittenden Home, the Boys and Girls Home, and the House of the Good Shepherd at Sioux City, and the Dubuque Rescue Home and the House of the Good Shepherd at Dubuque, and providing for the method of disbursement and against future appropriations of this kind, was taken up and considered.

Senator Garst moved that the rules be suspended and the bill be read a third time now.

Carried.

The bill was read for information.

The Chair announced the Senate as in Committee of the Whole.

The Chair announced the Senate as in regular session.

Senator Garst moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—40.

The nays were:

None

Absent or not voting:

Crawford, Crossley, Hartshorn, Lewis, Molsberry, Smith of Mitchel, Spaulding, Stirton, Taylor, Winne.—10.

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

HOUSE MESSAGES CONSIDERED.

House concurred in the following Senate substitute amendment and amended title to House file No. 134, a bill for an act to provide for agricultural extension work by the Iowa State College of Agriculture and Mechanic Arts and making an appropriation for the same.

Senator Brooks moved that the Senate concur in the following House amendments:

Amend title by inserting after the word extension in the first and second lines the words "and experiment."

On the question, Shall the Senate concur in the House amendments.

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Gillilland, Harper, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Crawford, Garst, Hartshorn, Hogue, Lambert, Stuckslager, Taylor, Turner, Wade, Winne, Smith of Mitchell—11.

So the House amendments were concurred in.

HOUSE MESSAGES CONSIDERED.

House file No. 418, a bill for an act legalizing a special election held at Oskaloosa, Mahaska county, Iowa, on the sixteenth day of August, 1905, for the purpose of voting a tax of five per centum on assessed value of property of said city.

Read first and second time.

By unanimous consent, House file No. 418, a bill for an act legalizing a special election held at Oskaloosa, Mahaska county, Iowa on the sixteenth of August, 1905, for the purpose of voting a tax of five per centum on assessed value of property of said city, was taken up and considered.

Senator Jones moved that the rule be suspended, and the bill be read a third time.

Carried.

Senator Ericson moved that the time of adjournment be extended until the bill under consideration be disposed of.

Carried.

Senator Jones moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Crossley, Dowell, Eckles, Elerick, Ericson, Gillilland, Harper, Hasselquist, Hayward, Hughes, Jackson, Jamison, Jones, Kimmel, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Stuckslager, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Courtright, Crawford, Dunham, Gale, Garst, Hartshorn, Hogue, Hopkins, Kinne, Taylor, Turner, Wade, Smith of Mitchell—13.

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

HOUSE MESSAGES CONSIDERED.

House concurred in concurrent resolution asking federal control on the subject of polygamy.

Ordered passed on file.

Senate file No. 254, a bill for an act to amend chapter one (1) of the acts of the Twenty-seventh General Assembly relating to the publication of the laws of the State of Iowa.

Ordered passed on file.

House has amended and passed Senate file No. 159, a bill for an act to amend the law as it appears in section seven hundred twenty-nine (729) of the supplement to the code and four hundred twenty-two (422) of the code relating to the powers of trustees of Public Libraries and provide for the use of same by residents outside the corporate limits of the town or city in which the library is located also additional to title four (4), chapter ten (10) of the code relating to the powers of township trustees.

Senator Ericson moved that the Senate concur in the following House amendments:

Amend by inserting after the word "meeting" in the fifth line of section three (3) the following "on petition of a majority of the resident freeholders of the territory upon which such tax is to be levied".

On the question, Shall the Senate concur in the House amendments?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Ericson, Gale, Gillilland, Harper, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Lambert, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Stuckslager, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—35.

The yeas were:

None.

Absent or not voting:

Crawford, Elerick, Garst, Hartshorn, Hogue, Jones, Kimmel, Kinne, Lewis, Molsberry, Taylor, Turner, Wade, Winne, Smith of Mitchell—15.

So the House amendment was concurred in.

Senator Courtright moved that the Senate do now adjourn.

Carried.

Senate stood adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M. President Herriott presiding.

THIRD READING OF BILLS.

House file No. 407, a bill for an act to legalize the elections of the mayors, members of the city council and other city officials of the city of Iowa Falls, Hardin county, Iowa, and all the acts thereof during the ten (10) years last past, was taken up and considered.

Senator Hartshorn moved that the rule be suspended and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crossley, Dowell, Dunham, Eckles, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kinne, Lambert, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stookey, Turner, Wade, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Bruce, Crawford, Elerick, Kimmel, Maytag, Smith of Mitchell, Stirton, Stuckslager, Taylor, Warren, Winne—11.

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

REPORT OF COMMITTEE.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred House file No. 288 a bill for an act to reimburse Frank Bristow for injuries sustained while in the employ 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 thst the same do pass.

WARREN GARST.
Chairman.

Adopted.

By unanimous consent House file No. 288 a bill for an act to reimburse Frank Bristow for injuries sustained while in the employ of the State, was taken up and considered.

The President announced the Senate as in committee of the Whole.

The President announced the Senate as in regular session.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Courtright, Crossley, Dunham, Eckles, Elerick, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Kinne, Lambert, Lewis, Lyons, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stookey, Turner, Wade, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Brooks, Bruce, Crawford, Dowell, Ericson, Hogue, Jones, Kimmel, Maytag, Molsberry, Stirton, Stuckslager, Taylor, Warren—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title 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 bill in which the concurrence of the Senate is asked:

House file No. 413, a bill for an act to provide for the sale and use of mileage books or tickets for transportation on railways.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 421, a bill for an act to grant legislative assent to the more complete endowment and maintenance of the Agricultural Experiment Station of the Iowa State College of Agriculture and Mechanics Arts.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 224, a bill for an act to amend the law as it appears in chapter thirty-six (36) of the laws of the Thirtieth General Assembly relating to park commissioners.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 400, a bill for an act making appropriations to the Iowa State College of Agriculture and Mechanic Arts, the State University, and the State Normal School.

C. R BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file 253, in which the concurrence of the House was asked:

A bill for an act to prohibit unfair commercial discrimination between different sections, communities or localities, or unfair competition and providing penalties therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

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

House file No. 103, a bill for an act to amend section sixteen hundred twelve (1612) of the code, and providing for service of notice or process on certain corporations by adding to said section the following.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 139, a bill for an act appropriating the sum of $2500 to pay M. H. Byers for his services in prosecuting and collecting the claim of the State of Iowa against United States government for money expended by the State in aiding the government to equip and place in field its soldiers for the Spanish War.

C. R. BENEDICT,
Chief Clerk.

REPORT OF COMMITTEE.

Senator Garst from the committee on Appropriations submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred House file Mo. 75, a bill for an act providing for the prevention of tuberculosis and for the establishment, location, erection and operation of a State Sanitarium for the treatment of persons having incipient pulmonary tuberculosis and making appropriations therefor, and repealing acts in conflict with this act, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

WARREN GARST
Chairman.

Adopted.

By unanimous consent, House file No. 75, a bill for an act providing for the prevention of tuberculosis and for the establishment, location, erection and operation of a state sanitarium for the treatment of persons having incipient pulmonary tuberculosis and making appropriations therefor, and repealing acts in conflict herewith, with report of committee recommending passage as amended by substitute, was taken up and considered.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

Senator Garst moved that the rule be suspended and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Masselquist, Hayward, Hogue, Hopkins, Hughes, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stookey, Turner, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Calhoun, Young of Washington—39.

The nays were:

Lyons, Maytag, Wilson of Clinton, Young of Lee—4.

Absent or not voting:

Crawford, Gale, Jackson, Smith of Mitchell, Stirton, Stuckslager, Taylor—7.

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

On motion of Senator Hughes House file No. 207, a bill for an act providing for a levy of a special tax of one-fifth (1-5) of a mill on the dollar upon the assessed valuation of the taxable property of the State for the erection, repair and improvement of buildings for the State University of Iowa, was taken up and considered, and the report of the committee, with substitute as amended, adopted.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

The President announced to the Senate the following amendment, recommended by the Committee of the Whole.

Add as section two (2).

Section 2. No part of same shall be expended without first submitting to the General Assembly for its approval, estimates of cost, plans and specifications, as provided by section twenty-seven hundred twenty-seven a-fifty-six (2727-a-56) of the supplement to the code, provided, that for any deviation from the plans and specifications arising between the sessions of the General Assembly involving increased costs, the Board in charge shall first secure the approval thereof by unanimous vote of the Executive Council. Such sums shall be drawn from the state treasury as provided in sections one hundred nine (109) and one hundred ten (110) of the code.

Senator Lewis moved the adoption of the amendment recommended by the Committee of the Whole.

Adopted.

Senator Hughes moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—45.

The nays were:

None.

Absent or not voting:

Brooks, Crawford, Hogue, Taylor, Smith of Mitchell—5.

So the bill having received a constitutional majority was declared to have passed the Senate and its title 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 House was asked:

Senate file do. 214, a bill for an act to provide for the organization of consolidated independent districts additional to chapter thirteen (13) title (14) fourteen of the code.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 182, a bill for an act providing for the form of ballot to be used at municipal elections and for manner of nomination by petition for place on such ballot and providing penalties for violation of its provisions and repealing acts inconsistent with its provisions.

C. R. BENEDICT,
Chief Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate file No. 13, a bill for an act to create a legislative commission to examine the subject of all insurance and the practice of all insurance companies doing business in this state and make recommendations concerning the insurance laws and provide a uniform policy for life and fire insurance and report their findings and recommendations to the next General Assembly, and for other purposes.

Also:

Senate file No. 239, a bill for an act to amend the law as it appears in section twenty-four hundred forty-eight (2448) of the code relating to the establishment of saloons within certain distances of specified buildings and places and to include cemeteries among the places affected by the provisions of said section.

Also:

Senate file 249, a bill for an act relating to the rules for admission to the Soldiers' Home.

Also:

Senate file 126, a bill for an act for the protection of birds, their nests, and eggs, the whole being additional to chapter fifteen (15), title twelve (XII) of the code.

Also:

Senate file No. 268, a bill for an act, appropriating money to pay the expenses of the members of the Iowa Shiloh Battlefield Monument Commission, The Vicksburg Park Monument Commission, The Iowa Lookout Mountain Commission and Missionary Ridge Commission, The Iowa Andersonville Prison Monument Commission, speakers and musicians, upon a joint visit to the several fields upon which monuments have been erected under their supervision, for the purpose of dedicating the same.

Also:

Senate file 276, a bill for an act to amend section twenty-four hundred fifty (2450) of the code relating to the sale of intoxicating liquor under the mulct law.

Also:

Senate file No. 100, a bill for an act to amend the law as it appears in section twenty-seven hundred eight (2708) of the supplement to the code so as to raise the age of commitment of females to the industrial school to eighteen years.

Also:

Senate file No. 30, a bill for an act to repeal sections twenty-six hundred thirty-two (2632), twenty-seven hundred thirty-four (2734), twenty-seven hundred thirty-five (2735), twenty-seven hundred thirty-six (2736), twenty-seven hundred thirty-seven (2737) of the code, and sections twenty-seven

hundred thirty-four (2734), twenty-seven hundred thirty-six (2736), twenty seven hundred thirty-seven (2737) of the supplement to the code, and to define the qualifications of county superintendents; to provide for the examination and certification of teachers for the public schools; the classification of teachers' certificates, and the registration of the same.

D. W. TURNER,
Chairman.

THIRD READING OF BILLS.

House file No. 176, a bill for an act to provide for the erection, repair, improvement and equipment of buildings for the State Normal School, was taken up and considered.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

The President announced to the Senate the following amendment recommended by the Committee of the Whole:

Add as section two (2):

Section 2. The funds to be realized from the tax levies herein provided for shall not be anticipated by issuing and discounting warrants or other obligations of the state, and no part of same shall be expended without first submitting to the General Assembly for its approval, estimates of cost, plans and specifications, as provided by section twenty-seven hundred twenty-seven-a-56 (2727-a-56) of the supplement to the code, provided that for any deviation from the plans and specifications arising between the sessions of the General Assembly involving increased cost, the Board in charge shall first secure the approval thereof by unanimous vote of the Executive Council. Such sums shall be drawn from the state treasury as provided in sections one hundred nine (109) and one hundred ten (110) of the code.

Senator Courtright moved the adoption of the amendment recommended by the Committee of the Whole.

Adopted.

Senator Courtright moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Ericson, Gale, Garst, Gillilland, Harper, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lyons, Maytag, Molsberry, Saunders, Spaulding, Stirton, Stookey, Stuckslager, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Brooks, Crawford, Elerick, Hartshorn, Hogue, Lambert, Lewis, Newberry, Taylor, Turner, Whipple, Winne, Smith of Des Moines, Smith of Mitchell—14.

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

House file No. 192, a bill for an act to provide for the erection, repair and equipment of buildings for the Iowa State College of Agriculture and Mechanic Arts, was taken up and considered.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

The President announced to the senate the following amendment recommended by the Committee of the Whole.

Add as section two (2):

Section 2. The funds to be realized from the tax levies herein provided for shall not be anticipated by issuing and discounting warrants or other obligations of the state, and no part of same shall be extended without first submitting to the General Assembly for its approval, estimates of cost, plans and specifications, as provided by section twenty-seven hundred twenty-seven-a-fifty-six (2727-a-56) of the supplement to the code, provided, that for any deviation from the plans and specifications arising between the sessions of the General Assembly involving increased cost, the board in charge shall first secure the approval thereof by unanimous vote of the executive council. Such sums shall be drawn from the state treasury as provided in sections one hundred nine (109) and one hundred ten (110) of the code.

Senator Ericson moved the adoption of the amendment recommended by the Committee of the Whole.

Adopted.

Senator Ericson moved that the rule be suspended, and that 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:

Bleakly, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Ericson, Gale, Garst, Gillilland, Harper, Hasselquist,

Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Saunders, Spaulding, Stirton, Stookey, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—38.

The nays were:

None.

Absent or not voting:

Brooks, Crawford, Elerick, Hartshorn, Hogue, Kimmel, Newberry, Smith of Des Moines, Smith of Mitchell, Stuckslager, Taylor, Winne—12

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

HOUSE MESSAGES CONSIDERED.

House file No. 400 a bill, for an act making appropriations to the Iowa State College of Agriculture and Mechanic Arts, the State University, and the State Normal School.

Read first and second time.

By unanimous consent House file No. 400. a bill for an act making appropriations to the Iowa State College of Agriculture and Mechanic Arts, the State University, and the State Normal School, was taken up and considered.

Senator Garst moved that the rule be suspended and the bill be read a third time.

Carried.

The bill was read for information.

The President announced the Senate as in Committee of the Whole.

The President announced the Senate as in regular session.

Senator Garst moved that the rule be suspended, and that the reading just had be considered its third reading which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper,

Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Saunders, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Brooks, Crawford, Hartshorn, Hogue, Newberry, Spaulding, Taylor, Winne, Smith of Des Moines, Smith of Mitchell, Young of Calhoun—11.

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

INTRODUCTION OF BILLS.

By Senator Saunders from committee on Tenure of Office. Senate file No. 352, a bill for an act to repeal the law as it appears in section two hundred fifty-six-a (256-a) of the supplement to the code relating to the election and terms of Judges of the Superior court and enacting a substitute therefor.

Read first and second time and referred to Sifting committee.

By Senator Courtright, Senate file No. 353, a bill for an act to amend section seventeen hundred nine (1709) and seventeen hundred ten (1710) of the supplement to the code as amended by the acts of the Thirty-first General Assembly relative to insurance other than life.

Read first and second time and referred to Sifting committee.

Senator Jamison, from the committee on Sifting submitted the following report:

REPORT OF COMMITTEE.

MR. PRESIDENT—Your committee on Sifting to whom was referred House file No. 297, a bill for an act authorizing the executive council to grant a right of way across the lands of the State College of Agriculture and Mechanic Arts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the attached substitute be adopted.

JAS. H. JAMISON,
Chairman.

SENATE SUBSTITUTE FOR HOUSE FILE NO. 297.

A BILL for an act authorizing the Executive Council of the State of Iowa to grant a right of way for an Interurban or other railway over and across the lands and campus of the Iowa State College of Agriculture and Mechanic Arts in Story county in the State of Iowa, and to fix terms and conditions therefor.

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

Section 1. That the Executive Council of the State of Iowa be and the same is hereby authorized to grant a right of way over and across the lands and campus of the Iowa State College of Agriculture and Mechanic Arts in Story county, State of Iowa for an interurban or other railway to be operated by electricity or other motive power, except steam, on or through said lands, upon such terms and conditions as may be imposed by said Executive Council. And the said Executive Council shall have the power to determine the width and fix the location of such right of way upon which the tracks, switches and turnouts of such railways shall be constructed; to fix the price and receive the pay for such right of way, and cover the same into the state treasury. One of the considerations and conditions under which such right of way shall be granted is that any railway desiring to operate its electric cars upon and along the tracks of the company constructing a line of railway upon the right of way so granted, shall have the privilege to do so upon such terms and conditions as may be fixed by the State Railway Commission of Iowa.

Section 2. No contract for right of way shall be made under this act unless the same shall provide for the construction and maintenance, without expense to the State of Iowa, of a side track extending to the main heating plant of the said college as the same is now or may hereafter be located and the said railway shall also be required to erect and maintain a station or stations suitable in character, size and design at such place or places on the college grounds as the Executive Council may designate. The poles upon the right of way shall be of steel or iron of ornamented design, and painted.

Section 3. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the "Register and Leader" and the "Des Moines Daily Capital", newspapers published at the city of Des Moines, Iowa.

The Substitute was read first and second time and passed on file.

Senator Jamison, from the committee on Sifting, submitted the following report:

MR. PRESIDENT—Your committee on Sifting to whom was referred substitute for House file No. 51, a bill for an act to amend the law that appears in chapter sixty-four (64) of the Thirtieth (30) General Assembly relating to bank examiners, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate recommending the following amendments:

Amend secsion one (1) of the bill by striking out the first five (5) lines and inserting in lieu thereof the following:

Section 1. That the law which appears as chapter sixty-four (64) of the Thirtieth General Assembly be and the same is hereby amended by striking out of line five (5) of section one (1) of said chapter the word "four" and inserting in lieu thereof the word "five", and when so amended the bill do pass.

JAS. H. JAMISON,
Chairman.

Ordered passed on file.

Senator Maytag moved that the Senate do now go into executive session.

Carried.

The Senate went into executive session.

The committee to whom was referred the appointment of John T. Hamilton of Cedar Rapids, Iowa, to succeed Hon. Judge L. G. Kinne as a member of the State Board of Control reported in favor of confirmation.

The report of the committee was adopted.

On a call of the roll more than two-thirds of the Senators voting for confirmation, the nomination was consented to and confirmed.

The Senate resumed regular session.

INTRODUCTION OF BILLS.

By Senator Bruce, Senate file No. 354.

A BILL for an act to apportion the state into Senatorial Districts and declare the ratio of representation.

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

Section 1. Apportionment.—That one senator from every forty-four thousand eight hundred (44,800) inhabitants is hereby constituted the ratio of apportionment, and that each senatorial district shall be as hereinafter described.

Section 2. Lee County shall be the First District and entitled to a Senator. (38,006)

Section 3. Van Buren and Jefferson Counties shall be the Second District and entitled to a Senator. (33,058)

Section 4. Appanoose and Davis Counties shall be the Third District and entitled to a Senator. (41,459)

Section 5. Lucas and Wayne Counties shall be the Fourth District and entitled to a Senator. (32,504)

Section 6. Union, Ringgold and Decatur Counties shall be the Fifth District, and entitled to a Senator. (49,665)

Section 7. Adams and Taylor Counties shall be the Sixth District, and entitled to a Senator. (29,283)

Section 8. Fremont and Page Counties shall be the Seventh District and entitled to a Senator. (39,885)

Section 9. Mills and Montgomery Counties shall be the Eighth District, and entitled to a Senator. (32,074)

Section 10. Des Moines County shall be the Ninth District and entitled to a Senator. (37,472)

Section 11. Washington and Henry Counties shall be the Tenth District and entitled to a Senator. (37,833)

Section 12. Clark and Warren Counties shall be the Eleventh District and entitled to a Senator. (31,214)

Section 13. Iowa and Keokuk Counties shall be the Twelfth District and entitled to a senator. (41,644)

Section 14. Wapello County shall be the Thirteenth District and entitled to a Senator. (36,524)

Section 15. Mahaska County shall be the Fourteenth District and entitled to a Senator. (31,430)

Section 16. Marion and Monroe Counties shall be the Fifteenth District, and entitled to a Senator. (48,483)

Section 17. Adair and Madison Counties shall be the Sixteenth District and entitled to a Senator. (31,817)

Section 18. Audubon, Guthrie and Dallas Counties shall be the Seventeenth District and entited to a Senator. (53,985)

Section 19. Shelby and Cass Counties shall be the Eighteenth District and entited to a Senator. (37,606)

Section 20. Pottawattamie County shall be the Nineteenth District and entitled to a Senator. (51,867)

Section 21. Louisa and Muscatine Counties shall be the Twentieth District, and entitled to a Senator. (41,064)

Section 22. Scott County shall be the Twenty-first District and entitled to a Senator. (55,910)

Section 23. Clinton County shall be the Twenty-second District, and entitled to a Senator. (42,793)

Section 24. Jackson and Jones Counties shall be the Twenty-third District and entitled to a Senator. (42,637)

Section 25. Cedar and Johnson Counties shall be the Twenty-fourth District, and entited to a Senator. (43,051)

Section 26. Tama and Benton Counties shall be the Twenty-fifth District, and entitled to a Senator. (47,408)

Section 27. Linn County shall be the Twenty-sixth District and entitled to a Senator. (57,362)

Section 28. Calhoun and Webster Counties shall be the Twenty-seventh District, and entitled to a Senator. (50,733)

Section 29. Hardin and Marshall Counties shall be the Twenty-eighth District and entitled to a Senator. (50,351)

Section 30. Jasper and Poweshiek Counties shall be the Twenty-ninth District, and entitled to a Senator. (46,601)

Section 31. Polk County shall be the Thirtieth District, and entitled to a Senator. (96,950)

Section 32. Boone and Story Counties shall be the Thirty-first District, and entitled to a Senator. (51,264)

Section 33. Woodbury County shall be the Thirty-second District and entitled to a Senator. (60,859)

Section 34. Buchanan and Delaware Counties shall be the Thirty-third District, and entitled to a Senator. (37,895)

Section 35. Monona, Crawford, and Harrison Counties shall be the Thirty-fourth District, and entitled to a Senator. (61,619)

Section 36. Dubuque County shall be the Thirty-fifth District and entitled to a Senator. (61,471)

Section 37. Clayton and Allamakee Counties shall be the Thirty-sixth District, and entitled to a Senator. (44,956)

Section 38. Wright and Hamilton Counties shall be the Thirty-seventh District, and entitled to a Senator. (37,010)

Section 39. Blackhawk and Grundy Counties shall be the Thirty-eighth District, and entitled to a Senator. (50,224)

Section 40. Franklin, Butler and Bremer Counties shall be Thirty-ninth District, and entitled to a Senator. (48,204)

Section 41. Chickasaw and Fayette Counties shall be the Fortieth District, and entitled to a Senator. (44,480)

Section 42. Winnebago, Worth and Mitchell Counties shall be the Forty-first District, and entitled to a Senator. (36,858)

Section 43. Howard and Winneshiek Counties shall be the Forty-second District, and entitled to a Senator. (36,630)

Section 44. Kossuth and Hancock Counties shall be the Forty-third District, and entitled to a Senator. (34,950)

Section 45. Cerro Gordo and Floyd Counties shall be the Forty-fourth District ,and entitled to a Senator. (38,313)

Section 46. Dickinson, Emmet and Palo Alto Counties shall be the Forty-fifth District, and entitled to a Senator. (32,367)

Section 47. Plymouth, Cherokee, and Ida Counties shall be the Forty-sixth District and entitled to a Senator. (50,426)

Section 48. Sac, Carroll, and Greene Counties shall be the Forty-eighth District, and entitled to a Senator. (53,666)

Section 49. Lyon, Sioux, Osceola, O'Brien and Clay Counties shall be the Forty-ninth District, and entitled to a Senator. (75,865)

Section 50. Humboldt, Pocahontas and Buena Vista Counties shall be the Fiftieth District, and entitled to a Senator. (42,708)

Section 51. At the General Election in the year ninteen hundred and eight (1908) and thereafter, the Counties of Osceola, O'Brien and Clay shall be the Forty-seventh District (32,248) and entitled to a Senator.

Section 52. At the General Election in the year Nineteen Hundred and eight (1908) and thereafter, the Counties of Lyon and Sioux shall be the forty-ninth District (37,617) and entitled to a Senator.

Read first and second time.

Senator Lambert moved that the bill be referred to the Sifting committee.

Senator Courtright moved to amend the motion of Senator Lambert, that the bill be ordered printed in the Journal and made a special order for 2 o'clock P. M. on Wednesday.

Senator Harper moved the previous question on the amendment and the motion.

Carried.

On the question, Shall the amendment offered by Senator Courtright to the motion of Senator Lambert prevail?

A roll call was demanded.

The yeas were:

Bruce, Ericson, Garst, Harper, Hopkins, Hughes, Kimmel, Kinne, Lewis, Lyons, Maytag, Saunders, Smith of Mitchell, Turner, Wilson of Fayette, Winne, Young of Calhoun, Young of Washington—18.

The nays were:

Bleakly, Brooks, Crossley, Dowell, Dunham, Eckles, Elerick, Gale, Gillilland, Hartshorn, Hasselquist, Hogue, Jackson, Jami-

son, Jones, Lambert, olsberry, Newberry, Smith of Des Moines, Spaulding, Stirton, Stookey, Wade, Warren, Whipple, Wilson of Clinton, Young of Lee—27.

Absent or not voting:

Courtright, Crawford, Hayward, Stuckslager, Taylor—5.

So the amendment to the motion was lost.

The original motion of Senator Lambert prevailed.

Senator Courtright moved that the bill be printed in the Journal.

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 House was asked:

House file No. 417, a bill for an act to amend section thirty-six (36) of the code, relative to the publication of acts of the legislature.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate file No. 7, a bill for an act relating to the jurisdiction of justices of the peace and their courts in the State of Iowa.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to fnform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate file No. 334, a bill for an act to require operators of creameries to pasteuriize skimmed milk before delivering the same to any person, and providing a penalty for violation thereof.

C. R. BENEDICT,
Chief Clerk.

The Journal of Monday April second was taken up, corrected, and approved.

REPORT OF COMMITTEE.

Senator Brooks from the committee on Agriculture submitted the following report:

MR. PRESIDENT—Your committee on Agriculture to whom was referred House file No. 368, a bill for an act to repeal section three thousand and sixteen (3016) of the supplement to the code, relating to bushel by weight 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 without recommendation.

JNO. T. BROOKS,
Chairman.

Ordered passed on file.

Senator Lewis moved that the Senate take up House messages.

Carried.

HOUSE MESSAGES CONSIDERED.

Senate file No. 214, a bill for an act to provide for the organization of consolidated independent districts additional to chapter thirteen (XIII), title fourteen (14) of the code.

Ordered passed on file.

House file No. 182, a bill for an act providing for the form of ballot to be used at municipal elections and for the manner of nomination by petition for place on such ballot and providing penalties for violations of its provisions and repealing acts inconsistent with its provisions.

Read first and second time and referred to Sifting committee.

Senate file No. 224, a bill for an act to amend the law as it appears in chapter thirty-six (36) of the law of the Thirtieth General Assembly relating to park commissioners.

Ordered passed on file.

Senate file No. 139, a bill for an act appropriating the sum of $2500 to pay M. H. Byers for his services in prosecuting and collecting the claim of the State of Iowa against the United States government for money expended by the state in aiding the government to equip and place in field its soldiers for the Spanish war.

Passed on file.

House file No. 421, a bill for an act to grant legislative assent to the more complete endowment and maintenance of the Agricultural Experiment Station of the Iowa State College of Agriculture and Mechanic Arts.

Read first and second time and referred to Sifting committee.

House concurred in Senate amendments to House file No. 253, a bill for an act to prohibit unfair commercial discrimination between different sections, communities or localities, or unfair competition and providing penalties therefor.

Passed on file.

House further amended and passed House file No. 103, a bill for an act to amend section sixteen hundred twelve (1612) of the code, and providing for service of notice or process on certain corporations by adding to said section the following.

Senator Courtright moved the Senate concur in the following House amendment:

Insert atter the title of the bill the following "Be it enacted by the General Assembly of the state of Iowa."

On the question, Shall the Senate concur in the House amendments?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Hasselquist, Hogue, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Spaulding, Stirton, Stookey, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington.—38.

The nays were:

None.

Absent or not voting:

Harper, Hartshorn, Hayward, Hopkins, Smith of Des Moines, Smith of Mitchell, Stuckslager, Taylor, Turner, Wade, Warren Crawford—12.

So the House amendments were concurred in.

HOUSE MESSAGES CONSIDERED.

House file No. 417, a bill for an act to amend section thirty-six (36) of the code, relative to the publication of acts of the Legislation.

Read first and second time and referred to Sifting committee.

House indefinitely postponed Senate file No. 7, a bill for an act relating to the jurisdiction of justices of the peace and their courts in the State of Iowa.

Passed on file.

Senate file No. 334, a bill for an act to require operators of creameries to pasteurize skimmed milk before delivering the same to any person, and providing a penalty for violation thereof.

Passed on file.

House file No. 413, a bill for an act to provide for the sale and use of mileage books or tickets for transportation on railways.

Read first and second time and referred to Sifting committee.

Senator Bleakly moved that the Senate do now adjourn.

Carried.

Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Wednesday, April 4, 1906.

Senate met in regular session at 9 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. A. J. Haggett of Des Moines, Iowa.

Senator Wilson of Fayette presented petition of twenty citizens of Maynard, Iowa, favoring the passage of House file No. 183, relating to exemptions.

Referred to Sifting committee.

Senator Courtright presented petition of citizens of Cedar Falls, favoring the passage of House file No. 183, relating to exemptions.

Referred to Sifting committee.

Senator Kinne presented three petitions of constituents favoring the passage of the Exemption bill as set forth in House file No. 183.

Referred to Sifting committee.

Senator Courtright presented petition of constituents favoring passage of House file No. 183, relating to exemptions.

Referred to Sifting committee.

REPORT OF COMMITTEE.

Senator Brooks, from the committee on Agriculture, submitted the following report;

MR. PRESIDENT--Your commttee on Agriculture, to whom was referred House file No. 320, a bill for an act to amend sections twenty-five hundred twenty-nine (2529), twenty-five hundred thirty (2530) and twenty-five hundred thirty-four (2534) of the code and to repeal and enact substitutes for sections twenty-five hundred thirty-three (2533) and twenty-five hundred thirty-eight (2538) thereof, relating to the State Veterinary Surgeon, beg

leave to report that they have had the same under consideration and have instructed me to report the same back to to the Senate with the recommendation that the same be amended by striking out of section two (2) the words "six hundred" and figures "600" and inserting in lieu thereof the words "nine hundred" and the figures "900."

And that when so amended the bill be reported to the Sifting committee without further recommendation.

JOHN T. BROOKS,
Chairman.

Adopted.

THIRD READING OF BILLS.

House file No. 320, a bill for an act to amend sections twenty-five hundred twenty-nine (2529), twenty-five hundred thirty (2530), and twenty-five hundred thirty-four (2534) of the code and to repeal and enact substitutes for sections twenty-five hundred thirty-three (2533), and twenty-five hundred thirty-eight (2538) thereof, relating to the State Veterinary Surgeon, was taken up and considered.

Senator Brooks moved the adoption of the following amendment: By striking out of section two (2) the words "six hundred" and the figures "600" and by inserting in lieu thereof the words "nine hundred" and the figures "900."

Adopted.

The bill was referred to the Sifting committee.

REPORT OF COMMITTEE.

Senator Brooks from the committee on Agriculture submitted the following report:

MR. PRESIDENT—Your committee on Agriculture to whom was referred House file No. 219, a bill for an act to authorize boards of supervisors to hear and allow claims for damages on account of sheep killed or injured by a dog or dogs and providing for the payment of 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 same be indefinitely postponed.

JNO. T. BROOKS,
Chairman.

Adopted.

So the bill was indefinitely postponed.

Senator Ericson offered the following concurrent resolution:

CONCURRENT RESOLUTION.

WHEREAS, The General Assembly has passed a law requiring the trustees of the state educational institutions to submit plans, specifications and estimates of cost of any contemplated new buildings to be erected by any of these institutions, the same must be submitted to the General Assembly for their approval, therefor, be it

Resolved by the Senate, the House concurring, That the Senate and House standing committees on public buildings, be and they are hereby directed to consider plans, specifications and estimates for any such new buildings that may be submitted to them, and they are hereby empowerod to approve or reject any or all such building plans.

Laid over.

REPORTS OF COMMITTEES.

Senator Hayward, 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. 230, a bill for an act to repeal section fourteen hundred sixty (1460) of the code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be referred to the Sifting committee.

W. C. HAYWARD,
Chairman.

Ordered passed on file.

Senator Bleakly, from the committee on Public Lands, submitted the following report:

MR. PRESIDENT—Your committee on Public Lands to whom was referred Senate file No. 143, a bill for an act to repeal chapter one hundred eighty-five (185) of the acts of the Thirtieth General Assembly and enact a substitute therefor, relating to the survey, appraisement and sale of abandoned channels of the navigable streams of the State, and island or bars situated in said navigable streams, and authorizing the appointment of a commission to ascertain and establish the boundary lines between the State of Iowa and adjoining states, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefiniteiy postponed for the reason that the same subject is included in House file No. 92 which recently passed this body.

JOHN L. BLEAKLY,
Chairman.

Adopted.

So the bill was indefinitely postponed.

THIRD READING OF BILLS.

Senate file No. 295, a bill for an act to amend section twelve hundred ninety-three (1293) of the code, relative to the publication of the official ballot with report of committee recommending amendments and passage was taken up, considered, and the report of the committee, with subsitute as amended, adopted.

Senator Jamison moved the adoption of the following amendments recommended by the committee:

Amend the bill by striking out of the third line, the word and figures "sixty (60)" and inserting in lieu thereof the word and figures "forty (40)", and by striking out of the fifth line the word and figures "one hundred (100)" and inserting in lieu thereof the word and figures "seventy (70),"

Adopted.

Senator Jamison moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crossley, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Maytag, Newberry, Saunders, Smith of Des Moines, Spaulding, Stookey, Stuckslager, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Calhoun, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Brooks, Crawford, Dowell, Harper, Hogue, Lyons, Molsberry, Smith of Mitchell, Stirton, Taylor, Turner, Wade, Winne, Young of Lee—14.

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

House file No. 209 a bill for an act to encourage the planting of forest and fruit trees in the State of Iowa, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Dunham moved that the rule be suspended, and that the bill be read a third time now which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley. Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis. Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stookey, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—40.

The nays were:

Garst—1.

Absent or not voting:

Crawford, Hogue, Hopkins, Smith of Mitchell, Stirton, Stuckslager, Taylor, Turner. Winne—9.

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

Senator Dowell was called to the chair at 10 o'clock A. M.

House file No. 381, a bill for an act providing for the creation of a Hospital board in cities having a population over twelve thousand five hundred, and providing for the construction and maintaining of a hospital therein, and authorizing the creation of an indebtedness therefor and a levy of a tax upon the property in such cities and towns for the payment of said indebtedness, and providing certain conditions under which an indebtedness for this purpose may in cities of the second class exceed one and one-fourth per centum of the actual valuation of property in such cities.

Senator Young of Calhoun offered the following amendment and moved its adoption.

I move to amend by adding to the end of the last line of section twenty-two the following:

In the management of said hospital no discrimination shall be made against practitioners of any school of medicine recognized by the laws of the State of Iowa.

Adopted.

Senator Young of Calhoun moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Crossley, Dunham, Eckles, Ericson, Gale, Garst, Gillilland, Harper, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, Lewis, Maytag, Molsbery, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Turner, Wade, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—37.

The nays were:

Courtright, Dowell, Jamison—3.

Absent or not voting:

Crawford, Elerick, Hartshorn, Hogue, Lambert, Lyons, Spaulding, Taylor, Warren, Winne—10.

So the bill having received a constitutional majority was declared to have passed the Senate and its title 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 concurrent resolution in which the concurrence of the Senate is asked:

CONCURRENT RESOLUTION.

Resolved by the House the Senate concurring, That the Chief Clerk of the House, and the Secretary of the Senate be required to remain at the Capitol and perform their respective duties as such for a period of five days after the close of the session of the Thirty-first General Assembly, the first assistant Clerk of the House three days; first assistant Secretary of the Senate, three days; journal clerk of the House, three days; journal clerk of the Senate, three days; engrossing clerk of the House, three days; engrossing clerk of the Senate, three days; postmistress and assistant postmistress, three days; mail carrier, three days; for the purpose of reading, correcting, arranging, preserving and certifying the records of the session and closing up the business of their respective offices, and that they receive the sam compensation per day for such extra time as they now receive.

Adopted April 4, 1906.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendment to House file No. 366:

A bill for an act relative to transfer of funds raised by townships for purpose of building public halls, additional to chapter ten (10), title four (4) of the code.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely pos'poned the following bill in which the concurrence of the House was asked:

Senate file 39, a bill for an act repealing sections eighteen hundred seventy-two (1872) and eighteen hundred seventy-three (1873) of the code relating to quarterly statement of state and savings banks and examinations by the auditor of State and providing substitutes therefor.

C. R. BENEDICT,
Chief Clerk.

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 House was asked.

Senate file 191, a bill for an act to amend section fifteen hundred thirty-eight (1538) of the code, relating to compensation of the trustees and township clerk.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am diaected to inform your honorable body that the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate file No. 198, a bill for an act to appropriate $278 21 to reimburse Crawford county for expenses incurred for transporting insane patients.

C. R. BENEDICT,
Chief Clerk.

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 House was asked.

Senate file No. 169, a bill for an act appropriating the sum of $5,000 to be paid to Lena Ness, guardian of Andrew T. Ness for the use and benefit of Andrew Ness in settlement of all claims against the State of Iowa by reason

of the injury to Andrew Ness and the damage resulting therefrom in the loss of a leg and for the pain and suffering resulting from said injury; said injury occurring while the said Andrew Ness was detained in the State Hospital for the Insane at Independence, Iowa.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

Joint resolution No. 5, a joint resolution fixing the number and compensation of employes in the department of state at the seat of government, was taken up and considered.

Senator Hayward offered the following amendments and moved their adoption.

Amend joint resolution No. 5 as follows: On page one under the head of "For the Auditor of State" change said line so it will read "For the office of the Auditor of State."

Change the figures in line four (4) from 1600 to 1500.

Change the figures in line five (5) from 1300 to 1400.

Change the figures in line seven (7) from 1600 to 1500.

Change the figures in line eight (8) from 1600 to 1500.

On page three under the head of "For the office of the Secretary of State," change lines nine, ten and eleven so they will read as follows:

Shipping help and cataloguing in storage building and for additional clerical assistance not to exceed.....$2,000

On page four (4) under the head of "For the office of the Treasurer of State," change the figures in line one (1) from 1400 to 1600.

On page five (5) under the head of "For the Executive Council," change the figures in line three (3) from 840 to 1000.

Change the figures in line nine (9) from 900 to 1200.

Adopted.

Senator Crossley offered the following amendments and moved their adoption.

I move to amend the joint resolution by striking out the figures "$1800.00" in line ten of the printed resolutions and inserting, in lieu thereof, the figures "$1600;" by striking out the figures "$1500" in line twelve (12) and inserting in lieu thereof the figures "$1350"; by striking out the figures "$1600;" in line fifteen (15) and inserting in lieu thereof the figures "$1400;" by striking out the figures "$1600" in line sixteen (16) and inserting in lieu thereof the figures "$1300; by striking out the figures "$10000" in line seventeen (17) and inserting in lieu thereof the figures "$900;" by striking out the words "two" in line twenty-three (23) and the

words "Salaries, each of" in said line twenty-three (23) and inserting in lieu of the last three words stricken out, the words "A salary of;" and by striking out lines twenty-four (24), twenty-five (25), twenty-six (26) and twenty-seven 27.

President pro tem Smith was called to the chair at 10:35 o'clock A. M.

On the question, Shall the amendments offered by Senator Crossley be adopted?

A roll call was demanded.

The yeas were:

Bleakly, Crossley, Elerick, Hartshorn, Hasselquist, Jackson, Jones, Kimmel, Kinne, Molsberry, Spaulding, Stookey, Stuckslager, Whipple, Wilson of Fayette, Wilson of Clinton—16.

The nays were:

Courtright, Dowell, Eckles, Ericson, Garst, Gillilland, Hayward, Hogue, Hopkins, Hughes, Jamison, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Turner, Warren, Winne, Young of Calhoun, Young of Washington—25.

Absent or not voting:

Brooks, Bruce, Crawford, Dunham, Gale, Harper, Taylor, Wade, Young of Lee—9.

So the amendment was lost.

Senator Molsberry offered the following amendment and moved its adoption:

Amend by striking $1500 in the fourth line from the bottom of page 1172 of the Journal and insert in lieu thereof the figures $1200.

On the question, Shall the amendment be adopted?

A roll call was demanded.

The yeas were:

Crossley, Elerick, Gillilland, Harper, Hartshorn, Hasselquist, Jones, Kinne, Molsberry, Spaulding, Stuckslager—11.

The nays were:

Bruce, Courtright, Dowell, Ericson, Garst, Hayward, Hogue, Hopkins, Hughes, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Calhoun, Young of Washington—26.

Absent or not voting:

Bleakly, Brooks, Crawford, Dunham, Eckles, Gale, Jackson, Jamison, Kimmel, Stookey, Taylor, Wade, Young of Lee—13.

So the amendment was lost.

Senator Garst offered the following amendment and moved its adoption.

For state librarian office, for additional librarian in charge of law, library and documents $300.

Adopted.

Senator Dowell was called to the chair at 11:30 o'clock A. M.

Senator Harper moved the previous question.

Carried.

Senator Hayward moved that the rule be suspended, and that the joint resolution be considered engrossed, and read a third time now which motion prevailed, and the joint resolution was read a third time.

On the question, Shall the joint resolution pass?

The yeas were:

Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Ericson, Gale, Garst, Gilliland, Harper, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jamison, Lewis, Maytag, Newberry, Saunders, Smith of Mitchell, Stirton, Warren, Whipple, Wilson of Clinton, Winne, Young of Calhoun, Young of Washington.—29.

The nays were:

Bleakly, Elerick, Jackson, Jones, Kimmel, Kinne, Spaulding, Wilson of Fayette, Young of Lee—9.

Absent or not voting:

Brooks, Crawford, Hartshorn, Lambert, Lyons, Molsberry. Smith of Des Moines, Stookey, Stuckslager, Taylor, Turner, Wade—12.

So the joint resolutions having received a constitutional majority was declared to have passed the Senate and its title agreed to.

House file No. 364, a bill for an act to repeal section one thousand sixty-eight (1068) of the code and to enact the following in lieu thereof, was taken up and considered.

Senator Courtright moved tnat the Senate substitute for House file 364, be substituted for the House bill.

Carried.

Senator Courtright moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Maytag, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Calhoun—39.

The nays were:

Newberry, Young of Washington—2.

Absent or not voting:

Crawford, Hartshorn, Lyons, Smith of Mitchell, Molsberry, Stuckslager, Taylor, Turner, Young of Lee—9.

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

Senate file No. 353, a bill for an act amend sections seventeen hundred nine (1709) and seventeen hundred ten (1710) of the supplement to the code as amended by the acts of the Thirty-first General Assembly, relative to insurance other than life, was taken up, and considered.

Senator Saunders, moved that the time of adjournment be extended until the bill under consideration be disposed of.

Carried.

Senator Courtright, moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Dunham, Eckles, Ericson, Gale, Garst, Gillilland, Harper, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Turner, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—38.

The nays were:

None.

Absent or not voting:

Crawford, Crossley, Dowell, Elerick, Hartshorn, Hogue, Lambert, Lyons, Stuckslager, Taylor, Wade, Winne—12.

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

Senator Garst moved that for the balance of the session the Senate shall meet regularly at 2 o'clock P. M.

Carried.

Senator Hughes moved that the Senate do now adjourn.

Carried.

Senate stood adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M. President Herriott presiding.

THIRD READING OF BILLS.

Substitute for House file No. 51, a bill for an act to amend the law which appears as chapter sixty-four (64) acts of the Thirtieth General Assembly, relating to bank examiners and fees, with report of committee recommending a substitute and passage was taken up, considered, and the report of the committee adopted.

Senator Stuckslager moved that the substitute recommended by the committee be substituted for the original bill.

Carried.

Senator Stuckslager moved the adoption of the following amendments:

Amend section one (1) of the bill by striking out the first five lines and inserting in lieu thereof the following:

Section 1. That the law which appears as chapter sixty-four (64) acts of the Thirtieth General Assembly be, and the same is hereby amended by striking out of line five (5) of section one (1) of said chapter, the word "four" and insert in lieu thereof the word "five."

Adopted.

Senator Stuckslager moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crossley, Dunham, Eckles, Elerick, Gale, Garst, Gillilland, Harper, Hasselquist, Hayward, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Molsberry, Newberry, Saunders Smith of Des Moines, Spaulding, Stirton, Stookey, Stuckslager, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Calhoun, Young of Washington—37.

The nays were:

None.

Absent or not voingg:

Bruce, Crawford, Dowell, Ericson, Hartshorn, Hogue, Hopkins, Lyons, Maytag, Taylor, Smith of Mitchell, Winne, Young of Lee.—13.

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

Senate file No. 347, a bill for an act to amend the law as it appears in section two thousand twenty-six (2026) of the supplement of the code, relating to street railways over highways, was taken up and considered.

Senator Dowell was called to the chair at 2:15 o'clock P. M.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hughes, Jackson, Jones, Kimmel, Kinne, Lewis, Lyons, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington.—38.

The yeas were :

None.

Absent or not voting:

Crawford, Dowell, Gale, Hogue, Hopkins, Jamison, Lambert, Maytag, Molsberry, Stuckslager, Turner, Winne—12.

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

House file No. 334, a bill for an act to repeal section one thousand seventy-two (1072) of the code and to enact a substitute therefor, relating to the term of office of county officers with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

Senator Courtright moved the adoption of the following amendments recommended by the committee:

Insert before the first word of the bill the following:

"Section 1."

Strike out of the fourth line of the bill the following:

"Section 1072."

Adopted.

Senator Courtright moved that the rule be suspended, and that the bill read a third time now which motion prevailed, and the billwas read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gillilland, Harper, Hasselquist, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne,

Lambert, Lewis, Lyons, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Crawford, Gale, Garst, Hartshorn, Hayward, Hogue, Maytag, Molsberry, Stuckslager, Winne, Smith of Mitchell—11.

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

Senate file No. 342, a bill for an act to repeal section four hundred eleven (411) of the code relative to the board of supervisors, and to enact a substitute therefor, was taken up and considered.

Senator Courtright offered the following substitute for the bill.

SUBSTITUTE FOR SENATE FILE NO. 342.

A BILL for an act to repeal section four hundred eleven (411) of the code, and to enact a substitute therefor, relating to Boards of Supervisors, their election and terms of office.

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

Section 1. Section four hundred eleven (411) of the code is hereby repealed and the following enacted in lieu thereof:

Section 2. At the general election held in 1906 county supervisors shall be elected in the various counties of the state as follows:

In counties having seven supervisors, four shall be elected for a term of four years, and three shall be elected for a term of two years.

In counties having five supervisors three shall be elected for the term of four years, and two shall be elected for the term of two years.

In counties having three supervisors two shall be elected for the term of four years, and one shall be elected for the term of two years; provided that in counties where the terms of office of any of the present incumbent supervisors run until January, 1908, their successors shall be elected only for that part of the term remaining after the first Monday of January, 1908.

In case of dispute as to the supervisors to be elected for the long and short term herein provided for, the county clerk, auditor, and recorder shall meet and determine which supervisors shall be succeeded by a long term successor, and which shall be succeeded by a short term successor.

At the general election in 1908, and biennially thereafter, successors shall be elected to all whose terms expire in the January following, whose terms of office shall be for four years, and until their successors are elected and qualified; in counties under the district system not more than one supervisor shall be a resident of any one township. In counties where the supervisors are elected from the county at large, not more than two supervisors shall be residents of any one township; in counties having five or seven supervisors, and having therein a township embracing an entire city of thirty-five thousand (35,000) inhabitants or over, two may be residents of the same township, and in no case shall there be more than two supervisors from any one township.

The substitute was read first and second time.

Senator Courtright moved that the substitute be adopted for the original bill.

Carried.

Senator Jackson offered the following amendment and moved its adoption:

Amend the substitute for the bill by striking out the words and figures seven (7) in the ninth line of the second page thereof and inserting in lieu thereof the words and figures five (5).

Adopted.

Senator Courtright moved that the rules be suspended and that the substitute be read a third time now.

Carried.

The substitute was read for information.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—43.

The nays were:

None:

Absent or not voting:

Crawford, Garst, Gillilland, Hogue, Maytag, Molsberry, Stuckslager—7.

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

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 bill in which the concurrence of the House was asked:

Senate file No. 181, a bill for an act for the appointment of state agents for the Industrial School and the Soldiers' Orphans' Home, defining their duties and making an appropriation for their salaries and expenses and to repeal chapter one hundred fifty-seven (157) of the acts of the Thirtieth General Assembly and other acts in conflict with this act.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 182, a bill for an act providing for the placing by adoption and contract and for the care and protection of children of the Iowa Soldiers' Orphans' Home and to repeal section twenty-six hundred ninety (2690) of the code and other acts and parts of acts in coflict with this act.

C. R BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 183, a bill for an act to repeal section twenty-one hundred four (2104) of the supplement to the code and to enact a substitute therefor relating to the placing under contract of boys and girls committed to the Industrial School.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate file No. 220, a bill for an act amendatory to chapter six (6), title three (3) of the code, extending the jurisdiction of superior courts in cities which are not county seats, and which have now, or may hereafter have, a population of twenty-five thousand or more; providing for changes of venue from superior courts in such cities; providing for trial by jury in superior courts in such cities; providing for the number of jurors in such courts in such cities and the manner of their selection; providing the manner of making judgments of courts in such cities liens upon real estate; providing that sales of real estate may be made on process issued out of such courts in such cities; providing for the recording of such sales and the execution of deeds made pursuant to such sales; providing that the filing of petitions in such courts in such cities which affect real estate shall charge third persons with notice of the pendency of the action upon filing a notice of pendency; providing for the salary of the judge of the superior court in such cities; providing for the compensation of the shorthand reporter of such court in such cities; and providing that the act shall apply to cities acting under special charter.

C. R. BENEDICT,
Chief Clerk.

Also:

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. 4, proposing the appointment of a commission to investigate the liability of the State of Iowa for injuries sustained by one, Ernest L. Ireland while an employee of the state at Cedar Falls, Iowa, and to make report of its finding of fact and legal conclusions, together with a transcript of all testimony, exhibits and any matter upon which said findings and conclusions are based; such report and recommendation to be made to the Thirty-second General Assembly not later than the first day of the convening thereof.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

House file No. 53, a bill for an act to amend section three hundred eight (308) of the code relating to the compensation of county attorney, with report of committee recommending passage was taken up, considered and the report of the committee, adopted.

Senator Whipple moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Crossley, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Kinne, Lambert, Lewis, Lyons, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun—36.

The nays were:

Dowell, Saunders, Turner—3.

Absent or not voting:

Courtright, Crawford, Gale, Hogue, Jamison, Jones, Kimmel, Maytag, Molsberry, Stuckslager, Young of Washington—11.

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

Senate file No. 345, a bill for an act to amend section twenty-seven hundred twenty-nine (2729) of the code, relative to terms of office of trustees of county high schools, was taken up and considered.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jones, Kinne, Lyons, Maytag, Newberry, Saunders, Spaulding, Stirton, Stuckslager, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee—33.

The nays were:

None.

Absent or not voting:

Crawford, Garst, Gillilland, Hogue, Jamison, Kimmel, Lambert, Lewis, Molsberry, Smith of Des Moines, Smith of Mitchell, Stookey, Taylor, Turner, Winne, Young of Calhoun, Young of Washington—17.

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

Senator Courtright asked unanimous consent to reconsider the vote by which House file No. 325 was indefinitely postponed.

Consent granted.

Senator Courtright moved to amend the committee report by striking out the words "that the same be indefinitely postponed" and insert in lieu thereof the words "that the same do pass."

Carried.

The committee report as amended was adopted.

House file No. 325, a bill for an act to amend section number forty-eight hundred twenty-two (4822) of the code, relating to malicious injury to buildings and fixtures, was taken up and considered.

Senator Courtright moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Eckles, Elerick, Ericson, Gale, Gillilland, Harper, Hasselquist, Hayward, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Newberry, Saunders, Spaulding, Stirton, Stookey, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee—34.

The nays were:

Lyons—1.

Absent or not voting:

Crawford, Dunham, Garst, Hartshorn, Hogue, Hopkins, Maytag, Molsberry, Smith of Mitchel, Smith of Des Moines, Stuckslager, Taylor, Turner, Young of Calhoun, Young of Washington—15.

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

House file No. 360, a bill for an act to provide for the establishment of a course of practical and scientific instruction and investigation in the art of clay working and ceramics including the manufacture and use of cements and allied industries in the Iowa State College of Agriculture and Mechanic Arts, was taken up, and considered.

Senator Gale moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?"

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Gillilland, Harper, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Maytag, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Wade, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun—37.

The nays were:

Turner—1.

Absent or not voting:

Crawford, Garst, Hartshorn, Hogue, Lyons, Molsberry, Newberry, Smith of Mitchell, Stuckslager, Taylor, Warren, Young of Calhoun—12.

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

House file No. 359, a bill for an act to amend section ten hundred sixty (1060) of the code and to repeal section ten hundred seventy-four (1074) of the code and to enact a substitute therefor relating to the election and terms of office of township trustees, was taken up, and considered.

Senator Courtright offered the following amendment and moved its adoption:

That section two (2) be striken out and the following substituted in lieu thereof:

At the general election in the year 1906 there shall be elected in each township a successor to those trustees whose term of office will expire January 1, 1907; and at the general election in the year 1908, and biennially thereafter, there shall be elected in each township three trustees, whose term of office shall be for a period of two years, and until their successors

are elected and qualified, and those trustees whose term of office does not expire until the first day of January, 1908 shall continue in office until their successors are elected and qualified.

Adopted.

Senator Courtright moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hasselquist, Hayward, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Wade, Warren, Whipple, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun—36.

The nays were:

Turner—1.

Absent or not voting:

Brooks, Bruce, Crawford, Gale, Hartshorn, Hogue, Hopkins, Lambert, Lewis, Lyons, Stuckslager, Wilson of Fayette, Young of Washington—13.

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

House file No. 297, a bill for an act authorizing the Executive Council of the state to grant the right of way to the Fort Dodge, Des Moines and Southern Railway Company over and across the section thirty-three (33), township eighty-four (84), range twenty-four (24), and sections twenty-five (25), four (4), nine (9), ten (10), fourteen (14), township eighty-three (83), range twenty-four (24), west of the fifth principal meridan, with report of committee recommending a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Jamison moved that the substitute recommended by the committee be substituted for the original bill.

Carried.

Senator Jamison moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elrick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding Stirton, Stookey, Taylor, Turner, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun—41.

The nays were:

None.

Absent or not voting:

Crawford, Gale, Hogue, Hopkins, Jamison, Stuckslager, Whipple, Winne, Young of Washington--19.

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

House file No. 362, a bill for an act to amend section eleven hundred six (1106) supplement to the code relating to the form of ballot used in elections, was taken up and considered.

Senator Molsberry offered the following amendments and moved their adoption:

I move to amend the bill by striking out the first line of section one (1) and the first word in line two (2) of said section and inserting in lieu thereof the following:

"The law as it appears in section eleven hundred six (1106) of the supplement to the code is."

Also, strike out the figures and letters "21st" in the fourth line of the bill and insert in lieu thereof the word "20th."

Also strike out the word "candidates" in the seventh line of the bill and insert in lieu thereof the words " candidate or candidates."

Also strike out the word "candidate" in the tenth line of the bill and insert in lieu thereof the words "candidate or candidates."

Adopted.

Senator Molsberry moved that the rule be suspended and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crossley, Dunham Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hayward, Hughes, Jackson, Jamison, Kimmel, Kinne, Lewis, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Taylor, Turner, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Young of Lee—33.

The nays were:

None.

Absent or not voting:

Crawford, Dowell, Gale, Hartshorn, Hasselquist, Hogue, Hopkins, Jones, Lambert, Lyons, Maytag, Smith of Mitchell, Stuckslager, Whipple, Winne, Young of Calhoun, Young of Washington—17.

Senator Molsberry moved to amend the title as follows:

I move to amend the title of the bill as follows:

Strike out the title of the bill and enact the following in lieu thereof:

A bill for an act to amend the law as it appears in section eleven hundred six (1106) of the supplement to the code relating to the form of ballots to be used at elections.

Adopted.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended agreed to.

Senator Jamison moved that Senate file No. 341 be indefinitely postponed.

Carried.

So the bill was indefinitely postponed.

House file No. 283 a bill for an act to amend section thirteen hundred four (1304) of the code so as to exempt from taxation the accumulations and funds of fraternal beneficiary associations, was taken up and considered.

Senator Saunders moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Dowell, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hughes, Jackson, Jamison, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Wade, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee—33.

The nays were:

None.

Absent or not voting:

Crawford, Crossley, Dunham, Eckles, Elerick, Gale, Hogue, Hopkins, Jones, Smith of Mitchell, Stuckslager, Taylor, Turner, Warren, Whipple, Young of Calhoun, Young of Washington—17.

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

Senate file No. 349, a bill for an act to amend section eight hundred one (801) of the code relating to street improvements, sewers and preliminary notices of sewer improvements, was taken up and considered.

Senator Bruce moved that the rule be suspended and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stuckslager, Taylor Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun—38.

The nays were:

None.

Absent or not voting:

Brooks, Crawford, Crossley, Dowell, Gale, Hogue, Hopkins, Smith of Mitchell, Stookey, Turner, Wilson of Clinton, Young of Washington—12.

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

HOUSE MESSAGES CONSIDERED.

Senate file No. 183, a bill for an act to repeal section two thousand one hundred and four (2104) of the supplement to the code and to enact a substitute therefor relating to the placing under contract of boys and girls committed to the Industrial School.

Ordered passed on file.

Senate file No. 182, a bill for an act providing for the placing by adoption and contract and for the care and protection of children of the Iowa Soldiers' Orphans' Home and to repeal section two thousand six huudred ninety (2690) of the code and other acts and parts of acts in conflict with this act.

Ordered passed on file.

Senate file No. 181, a bill for an act for the appointment of state agents for the Industrial School and the Soldiers Orphans' Home, defining their duties and making an appropriation for their salaries and expenses and to repeal chapter one hundred fifty-seven (157) of the acts of the Thirtieth General Assembly and other acts in conflict with this act.

Ordered passed on file.

Joint resolution No. 4 proposing the appointment of a commission to investigate the liability of the state of Iowa for injuries sustained by one, Earnest L. Ireland while an employee of the State at Cedar Falls, Iowa, and to make report of its findings of fact and legal conclusions, together with a transcript of all testimony, exhibits and any matter upon which said findings and conclusions are based; such report and recommendation to be made to the Thirty-second General Assembly not later than the first day of the convention thereof.

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

House indefinitely postponed Senate file No. 220, a bill for an act amendatory to chapter six, title three of the code, extending the jurisdiction of superior courts in cities which are not county seats, and which have now, or may hereafter have, a population of twenty-five thousand or more; providing for changes of venue from superior courts in such cities; providing for trial

by jury in superior courts in such cities; providing for the number of jurors in such courts in such cities and the manner of their selection; providing the manner of making judgments of courts in such cities liens upon real estate; providing that sales of real estate may be made on process issued out of such courts in such cities; providing for the recording of such sales and the execution of deeds made pursuant to such sales; providing that the filing of peitions in such courts in such cities which affect real estate shall charge third persons with notice of the pendency of the action upon filing a notice of pendency; providing for the salary of the judge of the superior court in such cities; providing for the compensation of the shorthand reporter of such court in such cities; and providing that the act shall apply to cities acting under special charter.

Ordered passed on file.

Senate file No. 191, a bill for an act to amend section fifteen hundred thirty-eight (1538) of the code, relating to compensaion of the trustees and township clerk.

Ordered passed on file.

Senate file No. 169, a bill for an act appropriating the sum of $5,000 to be paid to Lena Ness, guardian of Andrew T. Ness for the use and benefit of Andrew Ness in settlement of all claims against the state of Iowa by reason of the injury to Andrew Ness and the damage resulting therefrom in the loss of a leg and for the pain and suffering resulting from said injury; said injury occuring while the said Andrew Ness was detained in the State Hospital for the Insane at Independence, Iowa.

Ordered passed on file.

House concurred in Senate amendments to House file No. 366, a bill for an act relative to transfer of funds raised by township for purpose of building public halls, additional to chapter ten (10), title four (4) of the code.

Ordered passed on file.

House indefinitely postponed Senate file No. 39, a bill for an act repealing sections eighteen hundred seventy-two (1872) and eighteen hundred seventy-three (1873) of the code relating to quarterly statement of state and savings banks and examinations by the auditor of state and providing substitutes therefor.

Ordered passed on file.

House indefinitely postponed Senate file No. 198, a bill for an act to appropriate $278.21 to reimburse Crawford county for expenses incurred for transporting insane patients.

Ordered passed on file.

Concurrent resolution relative to extra service required by certain employees after the final adjournment, and fixing compensation therefor.

By unanimous consent the concurrent resolution was taken up and considered at this time.

Senator Hughes moved the adoption of the following amendment to the resolution:

Add to the resolution the following:

The Second Assistant Secretary of the Senate and the like officer in the House, each for three days for the purpose of checking up the corrected Journals.

Adopted.

Senator Hughes moved that the Senate concur in the concurrent resolution.

Carried.

REPORT OF COMMITTEE.

Senator Courtright, 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. 132, a bill for an act to amend the law as it appears in chapter forty-one (41) of the acts of the Twenty-eighth General Assembly relating to limiting indebtedness of political and municipal corporations beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

O. B. COURTRIGHT,
Chairman.

Adopted.

So the bill was indefinitely postponed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has failed to pass the following bill in which the concurrence of the House was asked:

Senate file No. 332, a bill for an act to authorize the Executive Council to employ artist, have additional decorative pictures painted upon the walls of the Capitol, and appropriating the sum of $5000 therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House refused to concur in Senate amendments to House file No. 176 in which the concurrence of the House was asked:

A bill for an act to provide for the erection, repair, improvement and equipment of buildings for the State Normal School.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House refuses to concur in Senate amendments to House file No, 192.

A bill for an act to provide for the erection, repair and equipment of buildings for the Iowa State College of Agriculture and Mechanic Arts.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House refuses to concur in Senate amendments to House file No. 107.

A bill for an act providing for the levy of a special tax of one-fifth of a mill on the dollar upon the valuation of the taxable property of the state for the erection, repair and improvement of buildings for the State University of Iowa.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House refused to concur to Senate amendments to.

House concurrent resolution, relative to extra services required by certain employees and providing compensation therefor.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

Senate file No. 350, a bill for an act to legalize the submission to the voters of the city of Creston, Iowa, of the question whether an ordinance entitled "an ordinance authorizing the Des Moines, Winterset and Creston Electric Railway Company to construct, maintain and operate, by electric or other power than

steam, street and interurban railways in, across, over and along the streets of the city of Creston, Iowa, and defining the powers and duties of said company" was taken up and considered.

Senator Stookey offered the following amendment and moved its adoption:

Substitute for section one (1):

Section 1. That the proceedings and ordinance of the city council of Creston, Iowa, submitting at the city election in said city on March twenty-sixth (26) nineteen-hundred and six, (1906), the question as to whether a franchise should be granted to the Winterset & Creston Electric Railway Company, to construct, maintain and operate, by electric or other power than steam, street and interurban railways in, across over and along the streets of the city of Creston, Iowa, and defining the powers and duties of said company, and all acts of said city council in connection with the calling of and holding said election and passing said ordinance ratifying and adopting the result of said election are hereby legalized and declared to be in full force and effect.

Adopted.

Senator Stookey moved that the rule be suspended, and that the bill be engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Calhoun—45.

The nays were:

None.

Absent or not voting:

Brooks, Crawford, Stuckslager, Young of Lee, Young of Washington—5.

Senator Stookey offered the following amendment to the title and moved its adoption:

Remove the period and add to the title the following:

"and legalize the acts of the city council in submitting to the voters of said city at a city election held on the twenty-sixth (26) day of March, nineteen hundred six (1906), the question of granting a franchise to said company,"

Adopted.

So the bill having received a constitutional majority was declared to have passed the Senate and its title as amended agreed to.

HOUSE MESSAGES CONSIDERED.

House refuses to concur in Senate amendments to House concurrent resolution, relative to extra services required by certain employees and providing compensation therefor.

Senator Hughes, moved that the Senate recede from its amendment to the concurrent resolution.

Carried.

House failed to pass Senate file No. 332, a bill for an act to authorize the Executive Council to employ artist, have additional decorative pictures painted upon the walls of the Capitol, and appropriating the sum of $5000 therefor.

Ordered passed on file.

House refuses to concur in Senate amendments to House file No. 176, a bill for an act to provide for the erection, repair, improvement and equipment of buildings for the State Normal School.

Senator Lewis moved that the Senate insist on its amendments to House file No. 176.

Senator Courtright moved that the Senate recede from its amendment.

On the question, Shall the Senate recede from its amendment?

A roll call was demanded.

The yeas were:

Bruce, Courtright, Crossley, Ericson, Gale, Gillilland, Hayward, Hogue, Hughes, Jackson, Jamison, Jones, Molsberry, Stirton, Stookey, Wilson of Clinton, Young of Calhoun—17.

The nays were:

Bleakly, Brooks, Dowell, Dunham, Eckles, Elerick, Garst, Harper, Hartshorn, Hasselquist, Hopkins, Kimmel, Kinne, Lam-

bert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Taylor, Turner, Warren, Whipple, Wilson of Fayette, Winne, Young of Lee—29.

Absent or not voting:

Crawford, Stuckslager, Wade, Young of Washington—4.

So the motion was lost.

On the question, Shall the motion to insist upon the amendments prevail?

The motion prevailed.

HOUSE MESSAGES CONSIDERED.

House refuses to concur in Senate amendments to House file No. 207, a bill for an act providing for the levy of a special tax of one-fifth of a mill on the dollar upon the valuation of the taxable property of the state for the erection, repair and improvement of buildings for the State University of Iowa.

Senator Lewis moved that the Senate insist on its amendments.

Carried.

House refuses to concur in Senate amendments to House file No. 192, a bill for an act to provide for the erection, repair and equipment of buildings for the Iowa College of Agriculture and Mechanic Arts.

Senator Lewis moved that the Senate insist on its amendments.

Carried.

Senator Lewis moved that the Senate ask for a conference committee from the House upon the last three bills being House file 176, House file 207, and House file 192, and that the president appoint a like committiee from the Senate.

Carried.

The chair appointed as such conference committee on House file No. 207, House file No. 192 and House file No. 176, Senators Lewis, Lambert, Newberry, Whipple.

Senator Garst moved that the Senate do now adjourn.

Carried.

Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER.
DES MOINES, IOWA, Thursday, April 5, 1906.

Senate met in regular session at 9 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. A. LeGrand of Pella, Iowa.

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 concurred in the following concurrent resolution in which the concurrence of the House was asked:

Resolved by the Senate, the House concurring: That the Thirty-first General Assembly do adjourn sine die, on Friday the sixth day of April, 1906, at 12 o'clock noon.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file 381, in which the concurrence of the House was asked:

A bill for an act providing for the creation of a hospital board in cities having a population of over twelve thousand five hundred, and providing for the construction and maintainenance, of a hospital therein, and authorizing the creation of an indebtedness therefor and the levy of a tax upon the property in such cities for the payment of said indebtedness, and providing certain conditions under which an indebtedness for this purpose may in cities of the second class exceed one and one-fourth per centum of the actual valuation of property in such cities.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 110, a bill for an act to amend section sixteen hundred fifty-seven-d (1657-d) of the supplement to the code, relating to the Agricultural convention.

C. R. BENEDICT,
Chief Clerk

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 House was asked.

Senate file No. 315, a bill for an act to provide that life insurance companies may transact health, accident and employer's liability insurance.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 247, a bill for an act to provide for the care and removal to their place of legal settlement of non-resident insane and for the payment of the expenses thereof and repealing section twenty-seven hundred twenty-seven-a-28 (2727-a-28) of the supplement to the code and all acts and parts of acts in conflict with this act.

C. R. BENEDICT,
Chief Clerk

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bi l in which the concurrence of the House was asked:

Senate file No. 339, a bill for an act to provide for the payment of certain expenses of indigent patients paroled or discharged from the State Hospital for inebriates at Knoxville, and the Hospital for Female Inebriates.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 246, a bill for an act to repeal section twenty-two hundred eighty-seven (2287) of the code and chapter seventy-nine (79) of the acts of the Thirtieth General Assemby amending said section and to enact a substitute therefor in regard to the capture and return of patients escaped from hospitals for the insane and the payment of the expenses thereof.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has failed to pass the following bill in which the concurrence of the House was asked:

Senate file No. 298, a bill for an act for the relief of W. J. McAhren and making an appropriation of $151.91 therefor.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 16, a bill for an act to amend section four hundred forty-one (441) of the code in regard to official newspapers.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 216, a bill for an act to amend chapter eighty (80) of the acts of the Thirtieth General Assembly in regard to admission of patients in hospitals for inebriates.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 205, a bill for an act to appropriate the sum of $75.00 to pay Henry Eyler for money advanced by him to the State of Iowa as rent for certain lake beds situated in Wright county, Iowa.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 347, a bill for an act to amend the law as it appears in section two thousand twenty-six (2026) of the supplement to the code relating to street railways over highways.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 277, a bill for an act to appropriate the sum of $100 to pay E. Frank for money advanced by him to the state of Iowa as rent for certain lake beds situated in Wright and Hancock counties, Iowa.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 231, a bill for an act to repeal section thirteen hundred ninety-one (1391) of the code relating to delinquent taxes and to enact a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

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:

House file 420, a bill for an act to repeal sections three hundred thirty-five (335) three hundred thirty-six (336), three hundred thirty-eight (338) of the code and three hundred thirty-seven (337) of the code as the same appears in the supplement to the code and to enact substitute therefor relating to jurors and grand jurors.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 428, a bill for an act to legalize the submission to the electors of the city of Albia of the question of establishing a free public library in said city.

C. R. BENEDICT,
Chief Clerk.

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.

House file No. 425, a bill for an act to legalize the official acts of certain persons acting as notaries public.

C. R. BENEDICT,
Chief Clerk.

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.

House file No. 422, a bill for an act to legalize the submission to the voters of the city of Creston, Iowa, of the question whether an ordinance entitled "An ordinance authorizing the Des Moines, Winterset and Creston Electric Railway Company to construct, maintain and operate by electricity or other power than steam, street and interurban railways in, across, over and along the streets of the city of Creston, Iowa, and defining the powers and duties of said company," should be approved and adopted.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 424, a bill for an act to legalize the submission to the voters of the town of Macksburg, Iowa, of the question whether an ordinance entitled "An ordinance authorizing the Des Moines, Winterset and Creston Electric Railway Company to construct, maintain and operate, by electric or other power than steam, street and interurban railways in, across, over and along the streets of the town of Macksburg, Iowa, and defining the powers and duties of said company," should be approved and adopted.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 406, a bill for an act to repeal chapter fifty-one (51) of the laws of the Thirtieth General Assembly, relating to the collection of tax on collateral inheritances.

C. R. BENEDICT,
Chief Clerk.

PETITIONS AND MEMORIALS.

Senator Jamison presented petition of twelve citizens of Warren county, Iowa, asking for the passage of House file No. 183, known as the Exemption bill.

Referred to Sifting committee.

Senator Wade presented petitions of constituents in favor of House file 183, known as the Exemption bill.

Referred to Sifting committee.

Senator Lyons presented petition of physicians and surgeons of Winneshiek county, Iowa, in favor of the bill known as the Patent Medicine bill.

Referred to Sifting committee.

Senator Dunham presented petition of citizens of Delaware county, Iowa, in favor of House file No. 183 known as the Exemption bill.

Referred to Sifting committee.

Senator Hopkins presented petition of citizens of Stuart, Iowa, in favor of the exemption bill, also petition signed by three hundred forty-one citizens of Audubon county, Iowa, in favor of House file No. 404 requiring all railroads to furnish family mileage books of 1000 miles at $20.

Referred to Sifting committee.

HCUSE MESSAGES CONSIDERED.

House file No. 406, a bill for an act to repeal chapter fifty one (51) of the laws of the Thirtieth General Assembly, relating to the collection of tax on collateral inheritances.

Read first and second time and referred to Sifting committee.

House file No. 424, a bill for an act to legalize the submission to the voters of the town of Macksburg, Iowa, of the question whether an ordinance entitled "An ordinance authorizing the Des Moines, Winterset and Creston Electric Railway Company to construct, maintain and operate, by electric or other power than steam, street and interurban railways in, across, over and along the streets of the town of Macksburg, Iowa, and defining the powers and duties of said company," should be approved and adopted.

Read first and second time and referred to Sifting committee.

House file No. 422, a bill for an act to legalize the submission to the voters of the city of Creston, Iowa, of the question whether an ordinance entitled "An ordinance authorizing the Des Moines, Winterset and Creston Electric Railway Company to construct, maintain and operate by electric or other power than steam, street and interurban railways in, across, over and along the streets of the city of Creston, Iowa, and defining the powers and duties of said company," should be approved and adopted.

Read first and second time and referred to Sifting committee.

House file No. 425, a bill for an act to legalize the official acts of certain persons acting as notaries public.

Read first and second time and referred to Sifting committee.

House file No. 428, a bill for an act to legalize the submission to the electors of the city of Albia of the question of the establishing a free public library in said city.

Read first and second time and referred to Sifting committee.

House file No. 420, a bill for an act to repeal sections three hundred thirty-five (335), three hundred thirty-six (336), three hundred thirty-eight (338) of the code and three hundred thirty-seven (337) of the code as the same appears in the supplement to the code and to enact substitutes therefor relating to jurors and grand jurors.

Read first and second time and referred to Sifting committee.

Senate file No. 231, a bill for an act to repeal section thirteen hundred ninety-one (1391) of the code relating to delinquent taxes and to enact a substitute therefor.

Ordered passed on file.

Senate file No. 277, a bill for an act to appropriate the sum of $100 to pay E. Frank for money advanced by him to the state of Iowa as rent for certain lake beds situated in Wright and Hancock counties, Iowa.

Ordered passed on file.

Senate file No. 347 a bill for an act to amend the law as it appears in section twenty hundred twenty-six (2026) of the code relating to street railways over highways.

Ordered passed on file.

Senate file No. 205, a bill for an act to appropriate the sum of $75.00 to pay Henry Eyler for money advanced by him to the State of Iowa as rent for certain lake beds situated in Wright county, Iowa.

Ordered passed on file.

Senate file No. 216, a bill for an act to amend chapter eighty (80) of the acts of the Thirtieth General Assembly in regard to admission of patients in hospitals for inebriates.

Ordered passed on file.

Senate file No. 16, a bill for an act to amend section four hundred forty-one (441) of the code in regard to official newspapers.

Ordered passed on file.

House failed to pass Senate file No. 298, a bill for an act for the relief of W. J. McAhren in making an appropriation of $151.91 therefor.

Ordered passed on file.

Senate file No. 246, a bill for an act to repeal section twenty-two hundred eighty-seven (2287) of the code and chapter seventy-nine of the acts of the Thirtieth General Assembly amending said section and to enact a substitute therefor in regard to the capture and return of patients escaped from hospitals for the insane and the payment of the expenses thereof.

Ordered passed on file.

Senate file No. 329, a bill for an act to provide for the payment of certain expenses of indigent patients paroled or discharged from the State Hospital for Inebriates at Knoxville and the Hospital for Female Inebriates.

Ordered passed on file.

Senate file No. 247, a bill for an act to provide for the care and removal to their place of legal settlement of non-resident insane and for the payment of the expenses thereof and repealing section twenty-seven hundred twenty-seven-a-28 (2727-a-28) of the supplement to the code and all acts and parts of acts in conflict with this act.

Ordered passed on file.

Senate file No. 315, a bill for an act to provide that life insurance companies may transact health, accident and employer's liability insurance.

Ordered passed on file.

Senate file No. 110, a bill for an act to amend section sixteen hundred fifty-seven-d (1657-d) of the supplement to the code, relating to the Agricultural convention.

Ordered passed on file.

House concurred in Senate amendments to House file No. 381, a bill for an act providing for the creation of a hospital board in cities having a population of over twelve thousand five hundred and providing for the construction and maintainance of a hospital therein and authorizing the creation of an indebtedness therefor and the levy of a tax upon the property in such cities for the payment of said indebtedness and pro-

viding certain conditions under which an indebtedness for this purpose may in cities of the second class exceed one and one-fourth per centum of the actual valuation of property in such cities.

Ordered passed on file.

House concurred in concurrent resolution that the Thirty-first general assembly do adjourn sine die, on Friday the sixth day of April 1906, at 12 o'clock noon.

Ordered passed on file.

THIRD READING OF BILLS.

House file No. 424, a bill for an act to legalize the submission to the voters of Macksburg, Iowa, of the question whether an ordinance entitled "An ordinance authorizing the Des Moines, Winterset and Creston Electric Railway Company to construct, maintain and operate, by electric, or other power than steam, street and interurban railways in, across, over and along the streets of the town of Macksburg, Iowa, and defining the powers and duties of said company," should be approved and adopted was taken up and considered.

Senator Crossley moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Ericson, Garst, Gilliland, Harper, Hartshorn, Hasselquist, Hayward, Hughes, Jamison, Jones, Kinne, Lambert, Lewis, Newberry, Smith of Des Moines, Spaulding, Stirton, Stookey, Taylor, Turner, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—35.

The nays were:

None.

Absent or not voting:

Bleakly, Elerick, Gale, Hogue, Hopkins, Jackson, Kimmel, Lyons, Maytag, Molsberry, Saunders, Smith of Mitchell, Stuckslager, Whipple, Winne—15.

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

House file No. 425, a bill for an act to legalize the official acts of certain persons acting as notaries public was taken up and considered.

Senator Brooks moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Taylor, Turner, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—40.

The nays were:

None.

Absent or not voting:

Bleakly, Elerick, Hopkins, Lyons, Maytag, Molsberry, Smith of Mitchell, Stuckslager, Whipple, Winne—10.

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

By unanimous consent Senate file No. 354 was made a special order for 2 o'clock P. M.

INTRODUCTION OF BILLS.

By Senator Jamison, Senate file No. 355, a bill for an act to amend section seven hundred seventy-six (776) of the code relating to submission to electors.

Read first and second time and referred to Sifting committee.

By Senator Jamison Senate file No. 356, a bill for an act to amend section seven hundred twenty-one (721) of the code relating to the submissions to electors.

Read first and second time and referred to Sifting committee.

Senator Dowell was called to the chair at 9:35 A. M.

REPORT OF COMMITTE.

Senator Garst, from the Committee on Appropriations submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred Senate file No. 170 a bill for an act to repeal section twenty seven hundred thirteen (2713) of the supplement to the code and to increase the fund for the support of the Industrial chools and to fix the minimum monthly allowance for each department thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the enate with the recommendation that the same be amended as follows:

1st. Strike out of the fifth line of said bill the word "section" and the figures "2713."

2nd. For the word "eleven" appearing in the eigth line substitute the word "thirteen."

3rd. For the word "fifteen" appearing in the eighth line substitute the word "sixteen."

4th By numbering section two (2) so that it shall appear as section three (3).

5th. By incorporating the following as section two (2).

Section 2. There is further appropriated out of any money in the state treasury, not otherwise appropriated, the sum of one thousand dollars for the Industrial School at Eldora and four hundred dollars for the Industrial School at Mitchellville. The same, or so much thereof as shall be necessary, shall be used, in connection with the support fund heretofore appropriated, to furnish proper dental work for those supported in said schools. The statements to be made and vouchers drawn for said funds shall be as provided in the first section of this bill, and when so amended the bill do pass.

WARREN GARST,
Chairman.

Adopted.

Senate file No. 170 a bill for an act to repeal section twenty-seven hundred thirteen (2713) of the supplement to the code and to increase the fund for the support of the industrial school and to fix the minimum monthly allowance for each department thereof, with report of committee recommending amendments and passage, was taken up and considered.

Senator Dunham moved the adoption of the following amendments recommended by the committee:

1st. Strike out the fifth line of said bill the word "section" and the figures "2713."

2nd. For the word "eleven" appearing in the eighth line substitute the word "thirteen."

3rd. For the word "fifteen" appearing in the eighth line substitute the word "sixteen."

4th. By numbering section two (2) so that it shall appear as section three (3).

5th. By incorporating the following as section two (2).

Section 2. There is further appropriated out of any money in the state treasury, not otherwise appropriated, the sum of one thousand dollars for the Industrial School at Eldora and four hundred dollars for the Industrial School at Mitchellville. The same, or so much as will be necessary, shall be used, in connection with the support fund heretofore appropriated, to furnish proper dental work for those supported in said schools. The statements to be made and vouchers drawn for said funds shall be as provided in the first section of this bill.

Adopted.

Senator Dunham moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were

Bleakly, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jamison, Jones, Kimmel, Kinne, Lewis, Lyons, Maytag, Newberry, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Wilson, of Fayette, Wilson of Clinton, Winne, Young of Calhoun, Young of Washington—43.

The nays were:

None.

Absent or not voting:

Brooks, Gale, Lambert, Molsberry, Saunders, Whipple, Young of Lee—7.

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

House file No. 330, a bill for an act to repeal sections one thousand fifty-seven (1057), one thousand sixty-four (1064), one thousand sixty-five (1065), one thousand sixty-six (1066),

one thousand sixty-eight (1068), one thousand seventy (1070), one thousand seventy-one (1071), one thousand seventy-four) (1074), and to enact substitutes therefor relating to the election of officers and the terms of office was taken up and considered.

Senator Courtright moved that the Senate insist on the Senate amendments, and ask for a conference committee.

Carried.

House file No. 283, a bill for an act granting additional powers to cities of the first class in levying taxes and providing means for the making, reconstruction, or repair of main sewers, defining main sewers and making certain parts of the code applicable thereto, was taken up and considered,

Senator Harper moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Crawford, Crossley, Elerick, Ericson, Gillilland, Harper, Hartshorn, Hasselquist, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, Lyons, Maytag, Newberry, Smith of Mitchell, Spaulding, Stirton, Stookey, Turner, Warren, Whipple, Wilson of Fayette, Young of Lee, Young of Calhoun, Young of Washington—31.

The nays were:

Courtright, Dowell, Dunham, Eckles, Lambert, Lewis, Saunders, Smith of Des Moines—8.

Absent or not voting:

Gale, Garst, Hayward, Hogue, Jamison, Molsberry, Stuckslager, Taylor, Wade, Wilson of Clinton, Winne—11.

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

The chair announced as conference committee on part of the Senate on House file No. 330, Senators Courtright, Gillilland, Dunham, Saunders.

House file No. 244, a bill for an act to amend sections twenty-three hundred fifty-nine (2359) five hundred fifty-five (555), twenty-seven hundred fifty-five (2755), twenty-eight hundred twenty-eight (2828), twenty-eight hundred forty-one (2841), eighteen hundred sixty-four (1864), twenty hundred ninety-three (2093), two hundred thirty-two (232), thirty-three hundred seven (3307), thirty-four hundred three (3403), four thousand twenty-four (4024), three hundred ninety-nine (399), four hundred (400), four hundred forty-six (446), nineteen hundred forty (1940), nineteen hundred forty-four (1944), nineteen hundred eighty-one (1981), twenty-three hundred seventy-two (2372), twenty-three hundred seventy-four (2374), six hundred (600), six hundred eight (608), six hundred eleven (611), six hundred fifteen (615), six hundred thirty-three (633), nine hundred twenty-six (926), two thousand three (2003), fifty-six hundred twenty-six (5626), of the code, to amend the law as it appears in section six hundred two (602), of the supplement to the code and to amend section three (3) of chapter one hundred fourteen (114), section eight (8) of chapter sixty-eight (68), and section three (3) of chapter forty-three (43), acts of the Thirtieth General Assembly; relating to legal publications, was taken up, and considered.

Senator Hartshorn offered the following amendment and moved its adoption.

Add the word "one" after the word "eighty" in the first line of section seventeen (17).

Adopted.

Senator Hartshorn moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—42.

The nays were:

None.

Absent or not voting:

Gale, Garst, Hayward, Hogue, Molsberry, Smith of Mitchell, Stuckslager, Taylor—8.

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

House file No. 416, a bill for an act to legalize the acts done and the ordinances and resolutions passed by the town council of Manson, Calhoun county, Iowa, was taken up and considered.

Senator Young of Calhoun moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Eckles, Elerick, Ericson, Gillilland, Harper, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lewis, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Taylor, Turner, Whipple, Wilson of Fayette, Young of Calhoun, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Dunham, Gale, Garst, Hartshorn, Hogue, Lambert, Lyons, Smith of Mitchell, Stuckslager, Wade, Warren, Wilson of Clinton, Winne, Young of Lee—14.

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

House file No. 357 a bill for an act to apportion the state into representative districts and declare the ratio of representation was taken up and considered.

Senator Gale offered the following amendments and moved its adoption.

Amend by striking out the word "district" in the second line of section fifty-five (55) and insert the word "representative" in lieu thereof.

Carried.

Senator Gale moved that the rule be suspended and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Gillilland, Harper, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kinne, Lambert, Lewis, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Turner, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Brooks, Garst, Hartshorn, Hogue, Kimmel, Lyons, Maytag, Molsberry, Stuckslager, Wade, Warren, Whipple, Winne, Young of Calhoun—14.

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

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 bill in which the concurrence of the House was asked:

Senate file No. 109, a bill for an act providing for the registration of stallions and fixing penalties for the violation thereof.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 426, a bill for an act to provide for the particpation of the State of Iowa in the Jamestown Tercentennial exposition to be held on or near the waters of Hampton Roads, in the state of Virginia, in the year nineteen hundred seven in commemoration of the first permanent settlement made in the United States by English speaking people, in the year fifteen hundred seven.

C. R. BENEDICT,
Chief Clerk.

House file No. 390, a bill for an act to repeal section twenty-eight hundred twelve-b (2812-b) of the supplement to the code relating to school district bonds and to enact a substitute therefor was taken up and considered.

Senator Courtright offered the following amendments and moved its adoption:

Amend section two (2) of the bill by inserting after the word "houses" in the fourth line of the printed bill the words "when authorized by the voters at a regular or special meeting called for that purpose".

Adopted.

Senator Hayward moved that the rule be suspended and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crawford, Dunham, Eckles, Elerick, Ericson, Gale, Gillilland, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Maytag, Newberry, Spaulding, Stirton, Stookey, Wade, Whipple, Wilson of Clinton, Winne, Young of Calhoun—27.

The nays were:

Crossley, Hasselquist, Lambert, Lewis, Saunders, Taylor, Turner, Wilson of Fayette, Young of Lee, Young of Washington—10.

Absent or not voting:

Brooks, Dowell, Garst, Harper, Hartshorn, Hogue, Kinne, Lyons, Molsberry, Smith of Des Moines, Smith of Mitchell, Stuckslager, Warren—13.

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

Senator Jackson moved that after today no bills except Tenure of Office, Conference and Appropriation bills be taken up and considered.

Carried.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Turner from the committee on Enrolled Bills submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled Senate file 35, a bill for an act to amend section fifty-seven hundred sixteen (5716), of the code and to provide for the compensation of the chaplains of the penitentiaries.

Also:

Senate file 152, a bill for an act to provide for the publication of municipal accounts and to establish a uniform system of accounts, reports and audit in cities and towns.

Also:

Senate file 279, a bill for an act additional and amendatory of chapter one (1) of title eleven (XI) of the code, and the law as it appears in chapter one (1) title eleven (XI) of the supplement to the code and chapter seventy-seven (77) of the acts of the Thirtieth General Assembly, relative to the State Military force and Iowa National Guard.

Also:

Senate file 218, a bill for an act to amend section eight hundred fifty-five (855) of the code, relative to park commissioners and their powers.

Also:

Senate file 178, a bill for an act to amend sections eighteen (18) and nineteen (19) provisions relating to the code and subsequent statutes in relation to county auditor's reports to the state auditor, of codes, supplements to the code, and session laws furnished by the Secretary of State to county auditors.

Also:

Senate file 111, a bill for an act appropriating the sum of ($750) seven hundred and fifty dollars to be paid to Mrs. John Stein, in settlement of all claims against the state of Iowa by reason of the death of John Stein who was killed by a falling scaffold at the Fort Madison Penitentiary while working under the orders of the superintendent of construction.

Also:

Senate file 134, a bill for an act to amend the law as it appears in section seven hundred and forty-five (745) of the supplement to the code, relating to the purchase or erection of waterworks by cities and conferring additional powers with reference thereto.

Also:

Senate file 12, a bill for an act making it unlawful for any steam railway or interurban railway doing business within the state, or any officer, agent or representative thereof, to issue, give or offer to any city, county, district, state or federal officer, including judges and members of the General Assembly, or any delegate to a political convention to use in attending such convention or return therefrom, or to any member of any political committee or employe thereof, or to any candidate for a city, county, district state or federal office, or to jurors in state or federal courts, any free pass, ticket or other privilege at rates less than charged the public. And prohibiting any city, county, district state or federal officer, and any delegate to a county, district or state political convention, and any candidate for a county, district, state or federal office and any member of any political committee or any employe thereof, and any juror in state or federal courts, to request or use any such free pass, ticket or privilege, sold or conferred at a less rate than the rate charged to the public, over any steam railroad or interurban railroad, and providing a penalty therefor.

Also:

Joint resolution No. 4. Joint resolution setting aside room No. twenty-seven (27) in the State Capitol Building for the use of newspaper publishers, reporters and correspondents.

D. W. TURNER,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turner from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills respectfully report that they have been examined, and find correctly enrolled, Senate file No. 35, a bill for an act to amend section fifty-seven hundred and sixteen (5716), of the code and to provide for the compensation of the chaplains of the penitentiaries.

Also:

Senate file 279, a bill for an act additional and amendatory of chapter one (I) of title eleven (XI) of the code, and the law as it appears in chapter one (1) title eleven (XI) of the supplement to the code and chapter seventy-seven (77) of the acts of the Thirtieth General Assembly, relative to the State Military forces and Iowa National Guard.

Also:

Senate file 152, a bill for an act to provide for the publication of municipal accounts and to establish a uniform system of accounts. reports and audit in cities and towns.

Also:

Senate file 178, a bill for an act to amend sections eighteen (18) and nineteen (19) provisions relating to the code and subsequent statutes in relation to county auditor's reports to the state auditor, of codes, supplements to the code, and session law furnished by the Secretary of State to county auditors.

Also:

Senate file 218, a bill for an act to amend section eight hundred fifty-five (855) of the code, relative to park commissioners and their powers.

Also:

Senate file 111, a bill for an act appropriating the sum of ($750) to be paid to Mrs. John Stein, in settlement of all claims against the State of Iowa by reason of the death of John Stein who was killed by a falling scaffold at the Fort Madison Penitentiary while working under the orders of the superintendent of construction.

Also:

Senate file 134, a bill for an act to amend the law as it appears in section seven hundred forty-five (745) of the supplement to the code, relating to the purchase or erection of waterworks by cities and conferring additional powers with reference thereto.

Also:

Joint resolution 4. Joint resolution setting aside room No. twenty-seven (27) in the State Capitol Building for the use of newspaper publishers, reporters and correspondents.

Also:

Senate file 12, a bill for an act making it unlawful for any steam railway or interurban railway doing business within the State or any officer, agent or representative thereof, to issue, give or offer to any city, county, district state or federal officer, including judges and members of the General Assembly, or any delegate to a political convention to use in attending such convention or return therefrom, or to any member of any political committee or employe thereof, or to any candidate for a city, county, district state or federal office, or jurors in state or federal courts, any free pass, ticket or other privilege at rates less **than charged the public.**

And prohibiting any **city, ~~county~~, district state or federal** officer,, and any delegate to a county, district state or political convention, and any candidate for a county, district state or federal office and any member of any political committee or an employe thereof, and any juror in state

or federal courts, to request or use any such free pass, ticket or privilege, sold or conferred at a less rate than the rate charged to the public, over any steam railroad or interurban railroad, and poviding a penalty therefor.

Also:

House joint resolution No. 1 proposing an amendment to the constitution of the state of Iowa, additional to section eighteen (18) of article one (1) of said constitution.

Also:

House file No.. 126, a bill for an act to amend chapter one hundred and one (101) laws of the Thirtieth General Assembly, relating to the establishing and maintaining a State Board of Health laboratory at Iowa City.

Also:

House file No. 129, a bill for an act providing for the care and permanent preservation of the public archives, and making an appropriation therefor.

Also:

House file No. 167, a bill for an act relating to fish and game, and making appropriations for the Fish and Game Commission of the state of Iowa.

Also:

House file No. 187, a bill for an act to repeal chapter thirty-one (31) of the laws of the Thirtieth General Assembly and to enact a substitute therefor relating to sewers in cities and in incorporated towns.

Also:

House file No. 203, a bill for an act to amend section four hundred ninety-eight (498) of the code, requiring county recorders to keep a fee book and make a permanent record of all fees charged.

Also:

House file No. 267, a bill for an act to amend the law as it appears in section twenty-six hundred four (2604) of the supplement to the code, relating to officers of the Iowa Soldiers' Home.

Also:

House file No. 274, a bill for an act to repeal sections twenty-five hundred (2500), twenty-five hundred one (2501), and twenty-five hundred two (2502) of the code relating to geological surveys and the duties of the State Geologist, and to enact a substitute therefor.

Also:

House file No. 306, a bill for an act to amend section forty-one hundred fourteen (4114) of the code relating to notice of appeal.

Also:

House file No. 331, a bill for an act to amend section one hundred forty-six (146) of the code, relating to the term of office of the custodian of public buildings.

Also:

House file No. 338, a bill for an act to secure in matters of religion a free exercise of religious preference and practice to all inmates of state, county, and city institutions maintained for the detention of persons held by committal or confinement in any state, county or city institution whether penal, correctional, charitable, or educational, or in any place of confinement maintained and supported by public funds.

Also:

House file No. 86, a bill for an act to require and regulate the registration of births and deaths in the state of Iowa, and to repeal section twenty-five hundred sixty-six (2566) and twenty-five hundred sixty-seven (2567) of the code, and to repeal chapter one hundred (100) laws of the Thirtieth General Assembly.

Also:

House file No. 177, a bill for an act to repeal chapter one hundred eighty-five (185) of the acts of the Thirtieth General Assembly and enact a substitute therefor, relating to the survey, appraisement and sale of abandoned river channels of the Mississippi and Missouri Rivers and all navigable streams within the state, and all lands within such abandoned river channels, and all islands or bars situated in such navigable waters and authorizing the appointment of a commission to ascertain and establish the boundary lines between the state of Iowa and adjoining states.

Also:

House file No. 270, a bill for an act to repeal section seventeen hundred thirty-seven (1737) of the code, relating to the publication of certificates of compliance of companies transacting the business of insurance other than life and enacting a substitute therefor.

Also:

House file No. 376, a bill for an act to legalize the incorporation of the town of Schleswig, Crawford county, Iowa, the election of its officers and all acts done and ordinances passed by the town council of said town.

Also:

House file No. 387, a bill for an act to amend sections two (2) and five (5) of chapter forty (40) of the acts of the Thirtieth General Assembly, relating to primary elections.

Also:

House file No. 74, a bill for an act to regulate the employment of child labor and to provide for the enforcement thereof. (Additional to chapter eight (8), title twelve (XII) of the code.

Also:

House file No. 134, a bill for an act to provide for agricultural extension and experiment work by the Iowa State College of Agriculture and Mechanic Arts, and making an appropriation for the same.

Also:

House file No. 253, a bill for an act to prohibit unfair commercial discrimination between different sections, communities or localities, or unfair competition, and providing penalties therefor.

Also:

House file No. 336, a bill for an act to authorize the executive council to convey to Jones county, Iowa, a roadway through the east half of the southwest quarter of section thirty-three (33), township eighty-five (85) north, of range four (4), west of the fifth principal meridian.

Also:

House file No 379, a bill for an act to amend the law as it appears in section fifteen hundred thirty-three (1533) and fifteen hundred forty-a (1540-a) of the supplement to the code, relating to the collection of road taxes.

Also:

House file No. 323, a bill for an act to amend section sixteen hundred fifty-seven-n (1657-n) chapter three (3) of the supplement to the code, relating to salary of Secretary of State Agricultural Department.

Also:

House file No. 418, a bill for an act legalizing a special election held at Oskaloosa, Mahaska County, Iowa, on the 16th day of August, 1905, for the purpose of voting a tax of five per centum on the assessed valuation of the property of said city in aid of the Oskaloosa and Buxton Electric Railway Company, and legalizing the recording of the certificates issued by the city clerk of said city, in the office of the recorder of deeds of said county, and legalizing the levy by the board of supervisors of said county, of the tax thereby voted, and legalizing the acts of the county auditor in placing said tax upon the tax lists, and in certifying the order for the same and said tax lists to the county treasurer of said county and legalizing the tax lists so transmitted to said treasurer.

D. W. TURNER,
Chairman Senate Committee.
H. L. SPAULDING,
Chairman House Committee.

Ordered passed on file.

The President resumed the chair at 11:20 A. M.

The President announced that he had signed in the presence of the Senate Senate files Nos. 35, 152, 279, 218, 178, 111, 134, 12,

Senate joint resolution No. 4, House files Nos. 126, 129 167, 187, 203, 267, 274, 306, 331, 338, 177, 86, 270, 376, 387, 74, 134, 253, 336, 379, 323, 418, House joint resolution No. 1.

Senator Dowell was called to the chair at 11:30 A. M.

THIRD READING OF BILLS.

House file No. 391, a bill for an act to repeal section twenty-seven hundred sixty-three (2763) of the code, relating to notice of special meetings, and to enact a substitute therefor, was taken up and considered.

Senator Hayward offered the following amendments and moved their adoption:

Amend section three (3) by inserting in the fourth line after the figures twenty-seven hundred fifty-five (2755) in parenthesis the words "of the supplement to the code."

Adopted.

Senator Hayward moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Courtright, Crawford, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Kimmel, Kinne, Lambert, Lewis, Maytag, Newberry, Saunders, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Calhoun, Young of Washington—35.

The nays were:

None.

Absent or not voting:

Brooks, Bruce, Crossley, Dowell, Harper, Hartshorn, Hogue, Jones, Lyons, Molsberry, Smith of Des Moines, Turner, Wade, Warren, Young of Lee—15.

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

Senate file No. 352, a bill for an act to repeal the law as it appears in section two hundred fifty-six-a (256-a) of the supplement to the code relating to the election and terms of judges of the superior court and enacting a substitute therefor was taken up and considered.

Senator Saunders moved that the rule be suspended and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hasselquist, Hughes, Jackson, Jones, Kimmel, Kinne, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Bruce, Crossley, Dowell, Hartshorn, Hayward, Hogue, Hopkins, Jamison, Lambert, Molsberry, Warren—11.

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

House file No. 334, a bill for an act to reimburse Charles Youde and G. R. Whitmer for expenses incurred in the election contest from the Eightieth Representative District of Iowa with report of committee recommending passage was taken up, considered and the report of the committee adopted.

The chair announced the Senate as in Committee of the Whole.

The chair announced the Senate as in regular session.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Turner, Wade, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—41.

The nays were:

None.

Absent or not voting:

Bruce, Crossley, Hayward, Hogue, Jamison, Molsberry, Stuckslager, Taylor, Warren—9.

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

House file No. 225, a bill for an act to amend section twenty-six hundred four (2604) as it appears in the supplement to the code in relation to salary of commandant of the Iowa Soldiers' Home, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Eckles offered the following amendment and moved its adoption.

Amend by striking out of the first and second lines of the bill the words "of the code," and inserting in lieu thereof the words "of the supplement to the code," and insert after the word "that" and before the word "section" in the first line thereof the words "the law as it appears in."

Adopted.

Senator Eckles moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crawford, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hughes, Jackson, Jamison, Kimmel, Kinne, Lewis, Maytag, Molsberry, Newberry, Smith of

Des Moines, Spaulding, Stirton, Stookey, Stuckslager, Wade, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Brooks, Crossley, Hogue, Hopkins, Jones, Lambert, Lyons, Saunders, Taylor, Turner, Smith of Mitchell, Warren, Young of Calhoun—13.

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

Senate file No. 285, a bill for an act in relation to a lost, stolen or destroyed note, bond, bill of exchange, draft, certificate of deposit or other evidence of indebtedness and prescribing how action may be brought thereon, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Jones offered the following amendment and moved its adoption:

Move to strike out all of section two (2) and inserting the following in lieu thereof:

Section 2. When an action is brought on a lost note, bond, bill of exchange, draft, certificate of deposit or other evidence of indebtedness. upon demand of any defendant therein, a good and sufficient bond shall be given to indemnify and save harmless the defendants in said cause.

Adopted.

Senator Brooks moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Gillilland, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kimmel, Kinne, Lewis, Lyons, Maytag, Newberry, Saunders, Smith of Mitchell, Spaulding, Stirton, Stuckslager, Taylor, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—42.

The nays were:

None.

Absent or not voting:

Garst, Harper, Hogue, Lambert, Molsberry, Smith of Des Moines, Stookey, Turner—8.

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

Senator Warren offered the following resolution:

RESOLUTION.

WHEREAS, House file No. 36, "a bill for an act providing that operators of mines shall furnish shot examiners and firers in mines where shooting and blasting is done additional to chapter nine (9) title twelve (12) of the supplement to the code, and to repeal section twenty-four hundred ninety-five-b (2495-b) of the supplement to the code," passed by the house was referred to the committee on mines and mining,

WHEREAS, the committee on mines and mining filed its report indefinitely postponing the same;

WHEREAS, at the time of the filing of the above report the following minority report was filed as follows: "We the undersigned members of your committee on mines and mining to whom was referred House file No. 36 beg leave to report that we have had the same under consideration and being in the minority respectfully reserve our rights to dissent from the views expressed by the report of said committee recommending the indefinite postponement of said bill and we therefore recommend that the same do pass.

J. L. WARREN,
R. A. HASSELQUIST,
F. L. MAYTAG,
C. J. A. ERICSON.

WHEREAS, before any opportunity was given for the action of the Senate upon either of said recommendations said bill was sent to the sifting committee and said committee by a formal vote has refused to return said bill to the Senate for action upon said recommendation and said report of the committee on mines and mining.

Therefore be it resolved, by the Senate, That the Sifting committee be and it is hereby ordered and requested to return without delay said House file No. 36 for action upon the reports filed from the committee on mines and mining as provided by the rules of the Senate.

Senator Warren moved that the rules be suspended, and that the resolution be considered at this time.

A roll call was demanded.

On the question, Shall the rule be suspended and the resolution be considered at this time?

The yeas were:

Bruce, Crawford, Dowell, Eckles, Ericson, Hasselquist, Harper, Hughes, Jones, Lewis, Maytag, Stirton, Turner, Warren, Wilson of Clinton, Winne, Young of Calhoun—17.

The nays were:

Bleakly, Brooks, Dunham, Elerick, Gale, Gillilland, Hartshorn, Hogue, Jamison, Molsberry, Newberry, Spaulding, Stookey, Stuckslager, Wade, Whipple, Wilson of Fayette, Young of Lee, Young of Washington—19.

Absent or not voting:

Courtright, Crossley, Garst, Hasselquist, Hayward, Hopkins, Jackson, Kimmel, Kinne, Lambert, Lyons, Saunders, Smith of Des Moines, Smith of Mitchell, Taylor—15.

So the motion was lost.

The resolution was laid over under the rule.

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate file No. 35, a bill for an act to amend section fifty-seven hundred and sixteen (5716), of the code and to provide for the compensation of the chaplains of the penitentiaries.

Also:

Senate file 152, a bill for an act to provide for the publication of municipal accounts and to establish a uniform system of accounts, reports and audit in cities and towns.

Also:

Senate file 279, a bill for an act additional and amendatory of chapter one (I) of title eleven (XI) of the code, and the law as it appears in chapter one (I) title eleven (XI) of the supplement to the code and chapter seventy-seven (77) of the acts of the Thirtieth General Assembly, relative to the State Military force and Iowa National Guard.

Also:

Senate file 218, a bill for an act to amend section eight hundred fifty-five (855) of the code, relative to park commissioners and their powers

Also:

Senate file No. 178, a bill for an act to amend sections eighteen (18) and nineteen (19) provisions relating to the code and subsequent statutes in relation to county auditor's reports to the state auditor, of codes, supplements to the code, and session laws furnished by the Secretary of State to county auditors.

Also:

Senate file 111, a bill for an act appropriating the sum of ($750) seven hundred and fifty dollars to be paid to Mrs. John Stein, in settlement of all claims against the state of Iowa by reason of the death of John Stein who was killed by a falling scaffold at the Fort Madison Penitentiary while working under the order of the superintendent of construction.

Also:

Senate file 134, a bill for an act to amend the law as it appears in section seven hundred forty-five (745) of the supplement to the code, relating to the purchase or erection of waterworks by cities and conferring additional powers with reference thereto.

Also:

Senate file No. 12, a bill for an act making it unlawful for any steam railway or interurban railway doing business within the state, or any officer, agent or representative thereof, to issue, give or offer to any city, county, district, state or federal officer, including judges and members of the general assembly, or any delegate to a political convention to use in attending such convention or return therefrom or to any member of any political committee or employe thereeof, or to any candidate for a city, county, district state or federal office, or to jurors in State or Federal courts, any free pass, ticket or other privilege at rates less than charged the public.

And prohibiting any city, county, district state or federal officer, and any delegate to a county, district or state political convention, and any candidate for a county, district, state or federal office and any member of any political committee or an employe thereof, and any juror in state or federal courts, to request or use any such free pass, ticket or privilege, sold or conferred at a less rate than the rate charged to the public, over any steam railroad or interurban railroad, and providing a penalty therefor.

Also:

Joint resolution No. 4, joint resolution setting aside room No. twenty-seven (27) in the State Capitol Building for the use of newspaper publishers, reporters and correspondents.

D. W. TURNER,
Chairman.

Senator Garst asked unanimous consent to introduce the General Appropriation bill after adjournment and have it printed in the Journal.

Consent granted.

INTRODUCTION OF BILLS.

By Senator Warren by request, Senate file No. 357, a bill for an act defining certain duties and powers of stockholders and directors of corporations for pecuniary profit organized under the laws of this State being an act amendatory to chapter one (1) of title nine (9) of the code.

Read first and second time and referred to Sifting committee.

The time having arrived the Senate stood adjourned.

AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock P. M., President Herriott presiding.

THIRD READING OF BILLS.

Senate file No. 354, a bill for an act to apportion the state into Senatorial Districts and declare the ratio of representation, was taken up and considered.

Senator Molsberry offered the following substitute amendment for the original bill and moved its adoption:

SUBSTITUTE AMENDMENT FOR SENATE FILE NO. 354.

A Bill for an act fixing the number of senators in the General Assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the state into senatorial districts.

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

Section 1. Apportionment. That the number of senators in the general assembly is hereby fixed at fifty, and they are hereby apportioned among the several counties according to the number of inhabitants in each, and under said apportionment the state is hereby divided into fifty senatorial districts, each district to have one senator, as follows:

1. First district. Lee county shall constitute the first district.

2. Second District. Jefferson county and Van Buren county shall constitute the second district.

3. Third District. Appanoose county and Davis county shall constitute the third district.

4. Fourth District. Lucas county and Wayne county shall constitute the fourth district.

5. Fifth District. Decatur county, Ringgold county and Union county shall constitute the fifth district.

6. Sixth District. Adams county and Taylor county shall constitute the sixth district.

7. Seventh District. Fremont county and Page county shall constitute the seventh district.

8. Eighth District. Mills county and Montgomery county shall constitute the eighth district.

9. Ninth District. Des Moines county shall constitute the ninth district.

10. Tenth District. Henry county and Washington county shall constitute the tenth district.

11. Eleventh District. Clarke county and Warren county shall constitute the eleventh district.

12. Twelfth District. Keokuk county and Poweshiek county shall constitute the twelfth district.

13. Thirteenth District. Wapello county shall constitute the thirteenth district.

14. Fourteenth District. Mahaska county shall constitute the fourteenth district.

15. Fifteenth District. Marion county and Monroe county shall constitute the fifteenth district.

16. Sixteenth District. Adair county and Madison county shall constitute the sixteenth district.

17. Seventeenth District. Audubon county, Dallas county, and Guthrie county shall constitute the seventeenth district.

18. Eighteenth District. Cass county and Shelby county shall constitute the eighteenth district.

19. Nineteenth District. Pottawattamie county shall constitute the nineteenth district.

20. Twentieth District. Louisa county and Muscatine county shall constitute the twentieth district.

21. Twenty-first District. Scott county shall constitute the twenty-first district.

22. Twenty-second District. Clinton county shall constitute the twenty-second district.

23. Twenty-third District. Jackson county shall constitute the twenty-third district.

24. Twenty-fourth District. Cedar county and Jones county shall constitute the twenty-fourth district.

25. Twenty-fifth District. Iowa county and Johnson county shall constitute the twenty-fifth district.

26. Twenty-sixth District. Linn county shall constitute the twenty-sixth district.

27. Twenty-seventh District. Calhoun county and Webster county shall constitute the twenty-seventh district.

28. Twenty-eighth District. Marshall county shall constitute the the twenty-eighth district.

29. Twenty-ninth District. Jasper county shall constitute the twenty-ninth district.

30. Thirtieth District. Polk county shall constitute the thirtieth district.

31. Thirty-first District. Boone county and Story county shall constitute the thirty-first district.

32. Thirty-second District.. Woodbury county shall constitute the thirty-second district.

33. Thirty-third District. Buchanan county and Delaware county shall constitute the thirty-third district.

34. Thirty-fourth District. Crawford county Harrison county and Monona county shall constitute the thirty-fourth district.

35. Thirty-fifth District. Dubuque county shall constitute the thirty-fifth district.

36. Thirty-sixth District. Clayton county shall constitute the thirty-sixth district.

37. Thirty-seventh District. Hamilton county, Hardin county, and Wright county shall constitute the thirty-seventh district.

38. Thirty-eighth District. Black Hawk county and Grundy county shall constitute the thirty-eighth district.

39. Thirty-ninth District. Bremer county and Butler county shall constitute the thirty-ninth district.

40. Fortieth District. Allamakee county and Fayette county shall constitute the fortieth district.

41. Forty-first District. Mitchell county, Winnebago county and Worth county shall constitute the forty-first district.

42. Forty-second District. Howard county and Winneshiek county shall constitute the forty-second district.

43. Forty-third District. Cerro Gordo county, Franklin county, and Hancock county shall constitute the forty-third district.

44. Forty-fourth District. Chickasaw county and Floyd county shall constitute the forty-fourth district.

45. Forty-fifth District. Benton county and Tama county shall constitute the forty-fifth district.

46. Forty-sixth District. Cherokee county, Ida county, and Plymouth county shall constitute the forty-sixth district.

47. Forty-seventh District. Clay county, Dickinson county, Emmet county, Kossuth county, and Palo Alto county shall constitute the forty-seventh district.

48. Forty-eighth District. Carroll county, Greene county, and Sac county shall constitute the forty-eighth district.

49. Forty-ninth District. Lyon county, O'Brien county, Osceola county and Sioux county shall constitute the forty-ninth district.

50. Fiftieth District. Buena Vista county, Humboldt county, and Pocahontas county shall constitute the fiftieth district.

On the question, Shall the substitute amendment be adopted?

A roll call was demanded.

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Crossley, Dunham, Eckles, Elerick, Ericson, Gale, Gillilland, Hartshorn, Hasselquist, Hogue, Jackson, Jamison, Jones, Lambert, Molsberry, Newberry, Smith of Des Moines, Spaulding, Stookey, Stuckslager, Taylor, Wade, Whipple, Wilson of Clinton, Young of Lee, Young of Calhoun—30.

The nays were:

Bruce, Dowell, Garst, Harper, Hopkins, Hughes, Kimmel, Kinne, Lewis, Lyons, Saunders, Smith of Mitchell, Stirton, Turner, Warren, Wilson of Fayette, Winne, Young of Washington—18.

Absent or not voting:

Hayward, Maytag—2.

So the substitute amendment was adopted.

Senator Molsberry moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hogue, Hopkins, Jackson, Jamison, Jones, Kinne, Lambert, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Spaulding, Stookey, Taylor, Turner, Wade, Warren, Whipple, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun—40.

The nays were:

Garst, Hughes, Kimmel, Smith of Mitchell, Stirton, Wilson of Fayette, Young of Washington—7.

Absent or not voting:

Hayward, Jackson, Stuckslager, Maytag—4.

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

EXPLANATION OF VOTE.

Senator Stirton filed the following explanation of his vote.

The Constitution clearly provides that the ratio of representation shall be fixed and contemplates that the population of each district shall approximate the fixed ratio.

The glaring inequality that now exists enabling one citizen from a certain district to be as potent in this body as three citizens from another district admits of no possible defense.

Believing that political expedience and personal preference should never stand in the way of justice, and that the constitutional rights of the people should never be subverted to the selfish ends of office-holders, I vote No.

ROBERT C. STIRTON.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Turner from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 183, a bill for an act to repeal section twenty seven hundred four (2704) of the supplement to the code and to enact a substitute therefor relating to the placing under contract of boys and girls committed to the industrial school.

Also:

Senate file 191, a bill for an act to amend section fifteen hundred thirty eight (1538) of the code, relating to compensation of the trustees and township clerk.

Also:

Senate file 181, a bill for an act for the appointment of State agents for the industrial school and the Soldiers' Orphans' home, defining their duties and making appropriation for their salaries and expenses and to repeal chapter one hundred fifty seven (157) of the acts of the Thirtieth General Assembly and other acts in conflict with this act.

Also:

Senate file 169, a bill for an act appropriating the sum of one thousand dollars ($1000.00) to be paid to Lena Ness, guardian of Andrew T. Ness for the use and benefit of Andrew T. Ness in settlement of all claims against the State of Iowa by reason of the injury to Andrew T. Ness and damages resulting therefrom in the loss of a leg and for the pain and suffering resulting from said injury, said injury occurring while the the said Andrew T. Ness was detained in the State Hospital for the insane at Independence, Iowa.

Also:

Senate file 182, a bill for an act providing for the placing by adoption and contract and for the care and protection of children of the Iowa Soldiers' Orphans' home and to repeal section twenty six hundred ninety (2690) of the code and other acts and parts of acts in conflict with this act.

Also:

Senatefile No. 139, a bill for an act appropriating the sum of two thousand five hundred dollars ($2500) to pay H. M. Byers for his services in prosecuting and collecting the claim of the State of Iowa against the United States Government for money expended by the State in aiding the Government to equip and place in the field its soldiers for the Spanish War.

Also:

Senate file 224, a bill for an act to amend the law as it appears in Chapter thirty-six (36) of the laws of the Thirtieth General Assembly relating to park commissioners.

Also:

Senate file 254, a bill for an act to amend chapter one (I) of the acts of the Twenty-seventh General Assembly, relating to the publication of the laws of the State of Iowa.

Also:

Senate file 159, a bill for an act to amend the law as it appears in section seven hundred twenty nine (729) of the supplement to the code and four hundred twenty two (422) of the code, relating to the powers of trustees of public libraries and to provide for the use of the same by residents outside the corporate limits of the town or city in which the library is located. (Also additional to title four (4) chapter ten (10) of the code, relating to the powers of township trustees.)

Also:

Senate file 334, a bill for an act to require operators of creameries to pasteurize skimmed milk before delivering the same to any person and providing a penalty for violation thereof.

Also:

Senate file 214, a bill for an act to provide for the organization of consolidated independent districts additional to title thirteen (XIII), chapter fourteen (14) of the code.

D. W. TURNER,
Chairman

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turuer from the joint committee on Enrolled] Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on enrolled bills respectfully report that they have examined, and find correctly enrolled, Senate file No. 139, a bill for an act appropriating the sum of two thousand five hundred dollars ($2500) to pay H. M. Byers for his services in prosecuting and collecting the claim of the State of Iowa against the United States Government for money expended by the State in aiding the Government to equip and place in the field its soldiers for the Spanish War.

Also:

Senate file 224, a bill for an act to amend the law as it appears in chapter thirty-six (36) of the laws of the Thirtieth General Assembly relating to park commissioners.

Also:

Senate file 254, a bill for an act to amend chapter one (I) of the acts of the Twenty-seventh General Assembly, relating to the publication of the laws of the State of Iowa.

Also:

Senate file 159, a bill for an act to amend the law as it appears in section seven hundred twenty nine (729) of the supplement to the code and four hundred twenty two (422) of the code, relating to the powers of trustees of public libraries and to provide for the use of the same by residents outside the corporate limits of the town or city in which the library is located. (Also additional to title four (4) chapter ten (10) of the code, relating to the powers of township trustees.)

Also:

Senate file 334, a bill for an act to require operators of creameries to pasteurize skimmed milk before delivering the same to any person and providing a penalty for violation thereof.

Also:

Senate file 214, a bill for an act to provide for the organization of consolidated independent districts additional to title thirteen (XIII), chapter fourteen (14) of the code.

Also:

Senate file 183, a bill for an act to repeal section twenty-seven hundred four (2704) of the supplement to the code and to enact a substitute therefor relating to the placing under contract of boys and girls committed to the industrial school.

Also:

Senate file 191, a bill for an act to amend section fifteen hundred thirty-eight (1538) of the code, relating to compensation of the trustees and township clerk.

Also:

Senate file 181, a bill for an act for the appointment of State agents for the industrial school and the Soldiers' Orphans' home, defining their duties and making appropriation for their salaries and expenses and to repeal chapter one hundred fifty-seven (157) of the acts of the Thirtieth General Assembly and other acts in conflict with this act.

Also:

Senate file 169, a bill for an act appropriating the sum of one thousand dollars ($1000.00) to be paid to Lena Ness, guardian of Andrew T. Ness for the use and benefit of Andrew T. Ness in settlement of all claims against the State of Iowa by reason of the injury to Andrew T. Ness and damages resulting therefrom in the loss of a leg and for the pain and suffering resulting from said injury, said injury occurring while the said Andrew T. Ness was detained in the State Hospital for the insane at Independence, Iowa.

Also:

Senate file 182, a bill for an act providing for the placing by adoption and contract and for the care and protection of children of the Iowa Soldiers' Orphans' home and to repeal section twenty-six hundred ninety (2690) of the code and other acts and parts of acts in conflict with this act.

D. W. TURNER,
Chairman Senate Committee.
H. L. SPAULDING,
Chairman House Committee.

Senator Gale offered the following concurrent resolution.

CONCURRENT RESOLUTION.

Resolved by the Senate, the House concurring, That the Executive Council be directed to authorize examinations of original papers and files of the 1905 census, by Members of the Legislatures, state officers, county attorneys, and all other attorneys having matters in charge upon which such papers and files will disclose material information.

Laid over.

The President announced that he had signed in the presence of the Senate, Senate files Nos. 183, 191, 181, 169, 182, 139, 224, 254, 159, 234 and 214.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDRNT—I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate file No. 215, a bill for an act to provide for the renewal and extension of the corporate period of state and savings banks.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 427, a bill for an act to amend section five thousand forty (5040) of the code, relating to breach of the Sabbath.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 337, a bill for an act amending section twenty-one hundred twenty-six (2126) of the code, relative to railway rates.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

House file No. 368, a bill for an act to repeal the law as it appears in section three thousand sixteen (3016), of the supplement to the code relating to bushel by weight, and to enact a substitute therefor, was taken up and considered.

Senator Saunders moved to amend the bill by adding the word "seed" after the word "alfalfa."

Adopted.

Senator Saunders moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Ericson, Gillilland, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Kimmel, Kinne, Lambert, Lewis, Newberry, Saunders, Smith of Des Moines, Spaulding, Stirton, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Washington—33.

The nays were:

None.

Absent or not voting:

Elerick, Gale, Garst, Harper, Hogue, Jones, Lyons, Maytag Molsberry, Stookey, Smith of Mitchell, Stuckslager, Taylor, Turner, Wade, Winne, Young of Calhoun—17.

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

House file No. 412, a bill for an act to protect the public health of domestic animals by providing for the inspection of registered cattle brought into the state for breeding or diary purposes, was taken up and considered.

Senator Dowell was called to the chair at 3 o'clock P. M.

Senator Wilson of Fayette moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dunham, Eckles, Ericson, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jamison, Kimmel, Kinne, Lewis, Lyons, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Wade, Warren, Whipple, Wilson of Fayette, Winne, Young of Washington—34.

The nays were:

Jackson, Wilson of Clinton, Young of Lee—3.

Absent or not voting:

Dowell, Elerick, Gale, Garst, Hogue, Jones, Lambert, Maytag, Molsberry, Stuckslager, Taylor, Turner, Young of Calhoun—13.

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

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval Senate file 183, a bill for an act to repeal section twenty-seven hundred four (2704) of the supplement to the code and to enact a substitute therefor relating to the placing under contract of boys and giris committed to the Industrial school.

Also:

Senate file 191, a bill for an act to amend section fifteen hundred thirty-eight (1538) of the code, relating to compensation of the trustees and township clerks.

Also:

Senate file No. 181, a bill for an act for the appointment of state agen's for the Industrial School and the Soldiers' Orphans' Home, defining their duties and making appropriations for their salaries and expenses and to repeal chapter 157 of the acts of the Thirtieth General Assembly and other acts in conflict with this act.

Also:

Senate file 169, a bill for an act appropriating the sum of one thousand dollars ($1,000) to be paid to Lena Ness, guardian of Andrew T. Ness for the use and benefit of Andrew T. Ness in settlement of all claims against the State of Iowa by reason of the injury to Andrew T. Ness and damages resulting therefrom in the loss of a leg and for the pain and suffering resulting from said injury, said injury occurring while the said Andrew T. Ness was detained in the State Hospital for the Insane at Independence, Iowa.

Also:

Senate file No. 182, a bill for an act providing for the placing by adoption and contract and for the care and protection of children of the Iowa Soldiers' Orphans' Home and to repeal section twenty-six hundred ninety (2690) of the code and other acts and parts of acts in conflict with this act.

Also:

Senate file No. 139, a bill for an act appropriating the sum of twenty-five hundred dollars ($2500) to pay H. M. Byers for his service in prosecuting and collecting the claim of the state of Iowa against the United States Government for money expended by the State in aiding the Government to equip and place in the field its soldiers for the Spanish war.

Also:

Senate file 222, a bill for an act to amend the law as it appears in chapter thirty-six (36) of the laws of the Thirtieth General Assembly, relating to park commissioners.

Also:

Senate file 254, a bill for an act to amend chapter one (1) of the acts of the Twenty-seventh General Assembly, relating to the publication of the laws of the State of Iowa.

Also:

Senate file 159, a bill for an act to amend the law as it appears in section seven hundred twenty-nine (729) of the supplement to the code, and four hundred twenty-two (422) of the code, relating to the powers of trustees of public libraries and to provide for the use of same by residents outside the corporate limits of the town or city in which the library is located.

Also additional to title four (4), chapter ten (10), of the code, relating to the powers of township trustees.

Also:

Senate file 334, a bill for an act to require operators of creameries to pasteurize skimmed milk before delivering the same to any person and providing a penalty for violation thereof.

Also:

Senate file 214, a bill for an act to provide for the organization of consolidated independent districts additional to title thirteen (XIII), chapter fourteen (14) of the code.

D. W. TURNER,
Chairman.

THIRD READING OF BILLS.

Senate file No. 252, a bill for an act amendatory of the law as it appears in chapter sixty-eight (68) acts of the Thirtieth General Assembly of Iowa, relating to levees, ditches, drains and water courses, repealing sections eighteen (18), nineteen (19) and forty-four (44) of said chapter and enacting substitutes therefor and amending other sections of said chapter, with report of committee recommending a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Hartshorn moved the adoption of the substitute recommended by the committee.

Adopted.

Senator Hartshorn moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakley, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gillilland, Harper,

Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kinne, Lambert, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Wade, Warren, Whipple, Wilson of Clinton, Winne, Young of Lee, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Gale, Garst, Hogue, Kimmel, Maytag, Spaulding, Stuckslager, Taylor, Turner, Wilson of Fayette, Young of Calhoun—11.

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

House file No. 421, a bill for an act to grant legislative assent to the more complete endowment and maintenance of the Agricultural Experiment Station of the Iowa State College of Agriculture and Mechanic Arts, was taken up and considered.

Senator Dunham moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed and, the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jones, Kimmel, Kinne, Lambert, Lewis, Molsberry, Newberry, Smith of Des Moines, Stirton, Stookey, Stuckslager, Wade, Warren, Whipple, Wilson of Clinton, Young of Lee, Young of Washington—34.

The nays were:

None.

Absent or not voting:

Gale, Garst, Gillilland, Hogue, Jackson, Jamison, Lyons, Maytag, Saunders, Spaulding, Taylor, Turner, Winne, Smith of Mitchell, Wilson of Fayette, Young of Calhoun—16.

So the bill having received a constitutional majority was declared to have passed the Senate and the title 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 concurred in Senate amendments to House file No. 351, a bill for an act to apportion the State into representative districts and declare the ratio of representation.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 362, a bill for an act to amend section eleven hundred six (1106) of the code, relating to the form of ballot used in elections.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file No. 297, a bill for an act authorizing the Executive Council of the state to grant the right of way to the Ft. Dodge, Des Moines and Southern Railway Co. over and across section thirty-three (33), township eighty-four (84), range twenty-four (24), and sections twenty-five (25), four (4), nine (9), ten (10), fourteen (14), township eighty-three (83), range twenty-four (24) west of the fifth principal meridian.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file 244, a bill for an act to amend section twenty three hundred fifty-nine (2359), five hundred fifty-five (555), twenty-seven hundred fifty-five (2755), twenty-eight hundred twenty-eight (2828), twenty-eight hundred forty-one (2841), eighteen hundred sixty-four (1864), twenty hundred ninety-three (2093), two hundred thirty-two (232), thirty-three hundred seven (3307), thirty four hundred three (3403), four thousand twenty-four (4024), three hundred ninety-nine (399), four hundred (400), four hundred forty-six (446), nineteen hundred forty (1940), nineteen hundred forty-four (1944), nineteen hundred eighty-one (1981), twenty-three hundred seventy-two (2372), twenty-three hundred seventy-four (2374), six hundred (600), six hundred eight (608), six hundred eleven (611), six hundred fifteen (615), six hundred thirty-three (633), nine hundred twenty-six (926), two thousand three (2003), fifty-six hundred twenty-six (5626), of the code, to amend the law as it appears in section six hundred two (602), of the supplement to the code and to amend section three (3) of chapter one hundred fourteen (114), section eight (8) of chapter sixty-eight (68), and section three (3) of chapter forty-three (43), acts of the Thirtieth General Assembly, relating to legal publications.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file 51, a bill for an act to amend the law which appears as chapter sixty-four (64), acts of the Thirtieth General Assembly, relating to bank examiners and fees.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file 334, a bill for an act to repeal section ten hundred seventy-two (1072) of the code and to enact a substitute therefor, relating to the term of office of county officers.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

House has amended and passed Senate file No. 215, a bill for an act to provide for the renewal and extension of the corporate period of state and savings banks.

THIRD READING OF BILLS.

By unanimous consent Senate file No. 215, a bill for an act to provide for the renewal and extension of the corporate period of state and savings banks was taken up and considered.

Senator Brooks moved that the Senate concur in the following House amendments:

Amend section one (1) by striking out of line twenty-four (24) and line twenty-five (25) the words "with the Secretary of State" and inserting in lieu thereof the words "filed, recorded and fees paid as provided in section sixteen hundred eighteen (1618) of the code."

On the question, Shall the House amendments be concurred in?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Stirton, Stookey, Stuckslager, Whipple, Wilson of Clinton, Young of Washington—34.

The nays were:

None.

Absent or not voting:

Gale, Garst, Jamison, Hogue, Hopkins, Maytag, Smith of Mitchell, Spaulding, Taylor, Turner, Wade, Warren, Wilson of Fayette, Winne, Young of Lee, Young of Calhoun—16.

So the House amendments were concurred in.

HOUSE MESSAGES CONSIDERED.

Senate file No. 337, a bill for an act amending section twenty-one hundred twenty-six (2126) of the code relative to railway rates.

Ordered passed on file.

Senate file No. 109, a bill for an act providing for the registration of stallions and fixing penalties for the violation thereof.

Ordered passed on file.

President Herriott resumed the chair at 3:25 o'clock P. M.

House file No. 426, a bill for an act to provide for the participa ion of the state of Iowa in the Jamestown Tercentennial Exposition to be held on or near the waters of Hampton Roads in the state of Virginia, in the year 1907, in commemoration of the first permanent settlement made in the United States by English speaking people in the year 1507.

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

House file No. 427, a bill for an act to amend section five thousand forty (5040) of the code, relating to breach of the Sabbath.

Read first and second times and referred to Sifting committee.

House concurred in Senate amendments to House file No. 352, a bill for an act to apportion the State into Representative Districts and declare the ratio of representation.

Ordered passed on file.

House concurred in Senate amendments to House file No. 361, a bill for an act to amend section eleven hundred six (1106) of the code, relative to the form of ballot used in elections.

Ordered passed on file.

House concurred in Senate amendments to House file No. 297, a bill for an act authorizing the Executive Council of

the State to grant the right of way to the Fort Dodge, Des Moines and Southern Railway Co. over and across section thirty-three (33), township eighty-four (84), range twenty-four (24) and sections twenty five (25), four (4), nine (9), ten (10), fourteen (14), township eighty-three (83), range twenty-four (24), west of the fifth principal meridian.

Ordered passed on file.

House concurred in Senate amendments to House file No. 244, a bill for an act to amend sections twenty-three hundred fifty-nine (2359), five hundred fifty-five (555), twenty-seven hundred fifty-five (2755), twenty-eight hundred twenty-eight (2828), twenty-eight hundred forty-one (2841), eighteen hundred sixty-four (1864), two thousand ninety-three (2093), two hundred thirty-two (232), thirty-three hundred seven (3307), thirty-four hundred three (3403), four thousand twenty-four (4024), three hundred ninety-nine (399), four hundred (400), four hundred forty-six (446), nineteen hundred forty (1940), nineteen hundred forty-four (1944), nineteen hundred eighty-one (1981), twenty-three hundred seventy-two (2372), twenty-three hundred seventy-four (2374), six hundred (600), six hundred eight (608), six hundred eleven (611), six hundred fifteen (615), six hundred thirty-three (633), nine hundred twenty six (926), two thousand three (2003), fifty-six hundred twenty-six (5626) of the code, to amend the law as it appears in section six hundred two (602), of the supplement to the code to amend section three (3) of chapter one hundred fourteen (114), section eight (8) of chapter sixty-eight (68), and section three (3) of chapter forty-three (43), acts of the Thirtieth General Assmbly; relating to legal publications.

Ordered passed on file.

House concurred in Senate amendments to House file No. 51, a bill for an act to amend the law which appears in chapter sixty-four (64), acts of the Thirtieth General Assembly, relating to bank examiners and fees.

Ordered passed on file.

House concurred in Senate amendments to House file No. 334, a bill for an act to repeal section one thousand seventy-two (1072) of the code, and to enact a substitue therefor, relating to the term of office of county officers.

Ordered passed on file.

Senator Hayward moved that the Senate do now adjourn.

Senator Hughes moved to amend by making it 7:30 this evening.

Lost.

On the question, Shall the motion of Senator Hayward that the Senate do now adjourn?

A roll call was demanded.

The yeas were:

Bruce, Courtright, Harper, Hayward, Jackson, Jamison, Jones, Lambert, Molsberry, Smith of Des Moines, Taylor, Wade, Whipple, Wilson of Clinton—14.

The nays were:

Bleakly, Brooks, Crossley, Dunham, Eckles, Ericson, Gillilland, Hasselquist, Hughes, Kinne, Lewis, Lyons, Saunders, Smith of Mitchell, Stirton, Turner, Warren, Wilson of Fayette, Winne, Young of Washington—20.

Absent or not voting:

Crawford, Garst, Kimmel, Stookey, Dowell, Hartshorn, Maytag, Stuckslager, Elerick, Hogue, Newberry, Young of Lee, Gale, Hopkins, Spaulding, Young of Calhoun—16.

The motion was lost.

Senator Dunham moved that the rule be suspended and that House file No. 427 be considered at this time.

On the question, Shall the motion prevail?

A roll call was demanded.

The yeas were:

Bleakly, Brooks, Courtright, Crossley, Dunham, Eckles, Elerick, Ericson, Gillilland, Harper, Hartshorn, Hasselquist, Hughes, Kimmel, Kinne, Lewis, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Warren, Whipple, Winne, Young of Lee, Young of Washington—27.

The nays were:

Crawford, Dowell, Gale, Hayward, Hogue, Jackson, Jamison, Jones, Lambert, Lyons, Molsberry, Smith of Des Moines, Wade, Wilson of Fayette, Wilson of Clinton—15.

Absent or not voting:

Bruce, Garst, Hopkins, Maytag, Newberry, Saunders, Spaulding, Young of Calhoun—8.

So the motion was lost.

Senator Molsberry moved that the Senate do now adjourn.

On the question, Shall the motion prevail?

A roll call was demanded.

The yeas were:

Bleakly, Bruce, Courtright, Crawford, Elerick, Harper, Hayward, Hogue, Jackson, Jones, Molsberry, Taylor, Wade, Wilson of Clinton, Young of Lee—15.

The nays were:

Brooks, Crossley, Dowell, Dunham, Eckles, Ericson, Gale, Gillilland, Hartshorn, Hasselquist, Hughes, Kimmel, Kinne, Lambert, Lewis, Lyons, Newberry, Smith of Mitchell, Stirton, Stuckslager, Turner, Warren, Wilson of Fayette, Winne, Young of Washington—25.

Absent or not voting:

Garst, Hopkins, Jamison, Maytag, Saunders, Smith of Des Moines, Spaulding, Stookey, Whipple, Young of Calhoun—10.

So the motion was lost.

THIRD READING OF BILLS.

Senate file No. 357, a bill for an act defining certain duties and powers of stockholders and directors of corporations for pecuniary profits organized under the laws of this state, being an act amendatory of chapter one (1) of title nine (9) of the code, was taken up and considered.

Senator Warren offered the following amendment and moved its adoption.

Amend Senate file 357 as follows:

By inserting after the word "represented" in the sixth line of section three (3) of the printed bill and before the word "at" in same line, the words "and voting."

Adopted.

Senator Molsberry moved the previous question on the bill.

Carried.

Senator Warren moved that the rules be suspended and the bill read a third time.

Carried.

Senator Warren moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Crawford, Crossley, Gale, Harper, Hasselquist, Hopkins, Jamison, Smith of Mitchell, Warren—9.

The nays were:

Bleakly, Brooks, Courtright, Dowell, Dunham, Eckles, Elerick, Ericson, Gillilland, Hartshorn, Hayward, Hughes, Jones, Kinne, Lewis, Lyons, Molsberry, Newberry, Smith of Des Moines, Stirton, Stookey, Stuckslager, Taylor, Turner, Whipple, Wilson of Clinton, Winne, Young of Lee, Young of Washington —29.

Absent or not voting:

Bruce, Garst, Hogue, Jackson, Kimmel, Lambert, Maytag, Saunders, Spaulding, Wade, Wilson of Fayette, Young of Calhoun—12.

So the bill having failed to receive a constitutional majority was declared lost.

House file No. 216, a bill for an act to legalize conveyance of real estate by executors, administrators, and guardians in certain cases, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Molsberry moved the previous question on the bill.

Carried.

Senator Newberry moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were.

Bleakley, Bruce, Elerick, Gale, Harper, Hayward, Hughes, Jackson, Lyons, Molsberry, Newberry, Smith of Mitchell, Spaulding, Stirton, Stuckslager, Taylor, Wade, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Calhoun—21.

The nays were:

Brooks, Courtright, Crawford, Crossley, Dowell, Eckles, Ericson, Hasselquist, Jamison, Kimmel, Saunders, Smith of Des Moines, Stookey, Turner, Winne, Young of Lee, Young of Washington—17.

Absent or not voting.

Dunham, Garst, Gillilland, Hartshorn, Hogue, Hopkins, Jones, Kinne, Lambert, Lewis, Maytag, Warren—12.

So the bill having failed to receive a constitutional majority, was declared lost.

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 bill in which the concurrence of the House was asked:

Senate file 282, a bill for an act for the relief of the grantees of John S. Bussey. and for the purpose of having a patent issued in the name of Samuel Kingery, for a certain tract of land.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 336, a bill for an act to amend section thirteen hundred twenty-two (1322) of the code, relating to taxation of national state and savings banks and the shares of stock therein.

C. R. BENEDICT,
Chief Clerk.

By Senator Garst from the Appropriation committee, Senate file No 358.

A BILL, for an act to make appropriations for the payment of State and judicial officers, State and other expenses.

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

Section 1. There is hereby appropriated out of any money in the state treasury, not otherwise appropriated, an amount sufficient to pay the salaries of the various officers, whose salaries are fixed by law,

and payable from the state treasury, and the auditor of state shall draw warrants therefor in favor of the officers entitled thereto, in monthly installments, when not otherwise provided for by law.

Section 2. There is further appropriated from the state treasury for a term of one year ending June 30, 1907, the following sums, or so much thereof as shall be necessary, to-wit; Provided that on the first day of July succeeding the meeting of the regular session of the General Assembly all moneys appropriated in this act and remaining unexpended, shall be and are hereby covered into the state treasury.

Section 3. 1. For the office of auditor of state, for the period ending June 30th, 1907, as per joint resolution No. 5, the sum of fourteen thousand two hundred twenty dollars ($14,220.00).

2. For the office of attorney general, for the period ending June 30, 1907, as per joint resolution No. 5, the sum of three thousand nine hundred dollars ($3,900.00).

3. For the office of state mine inspector, for the period ending June 30, 1907, as per joint resolution No. 5, the sum of nine hundred dollars (900.00).

4. For the railroad commission for clerical help, for the period ending June 30, 1907, as per joint resolution No. 5, the sum of two thousand seven hundred dollars ($2,700.00); for traveling and all other expenses one thousand three hundred dollars ($1,300.00).

5. For the historical department, for the period ending June 30, 1907, as per joint resolution No. 5, the sum of five thousand three hundred sixty dollars ($5,360.00).

6. For the geological survey, for the period ending June 30, 1907, as per joint resolution No. 5, the sum of one thousand dollars ($1,000.00).

7. For the office of clerk of the supreme court, for the period ending June 30, 1907, as per joint resolution No. 5, the sum of two thousand eight hundred twenty dollars ($2,820.00).

8. For the incidental expenses of the chief justice of the supreme court, for the period ending June 30, 1907, the sum of two thousand dollars ($2,000.00); also the bailiff, messenger, and stenographic service, for the period ending June 30, 1907, as per joint resolution No. 5, the sum of six thousand one hundred eighty dollars ($6,180.00).

9. For expenses of the state food and dairy commissioner, assistant commissioner, and deputy, and for food and milk inspection, for the period ending June 30, 1907, the sum of five thousand four hundred dollars ($5,400.00); for clerical assistance, for the period ending June 30, 1907, as per joint resolution No. 5, the sum of nine hundred dollars ($900.00).

10. For the office of treasurer of state, for the period ending June 30, 1907, as per joint resolution No. 5, for salaries and incidental expenses, the sum of five thousand seven hundred eighty dollars ($5,780.00).

11. For the office of superintendent of public instruction, for the period ending June 30, 1907, as per joint resolution No. 5, the sum of two thousand two hundred twenty dollars ($2,220.00).

12. For the office of state librarian, for the period ending June 30, 1907, as per joint resolution No. 5, the sum of three thousand three hundred twenty dollars ($3,320.00).

13. For the office of supreme court reporter, for the period ending June 30, 1907, as per joint resolution No. 5, the sum of seven hundred twenty dollars ($720.00).

14. For the office of secretary of state, for the period ending June 30, 1907, as per joint resolution No. 5, the sum of ten thousand seven hundred dollars ($10,700.00).

15. For the office of governor, for the period ending June 30, 1907, for a contingent and expense fund, the sum of one thousand nine hundred sixty-eight dollars (1,968.00); for the expenses of employing additional counsel when necessary, under the provisions of sections sixty-three (63) and sixty-four (64) of the code, the sum of one thousand dollars ($1,000.00); for investigation of applications for pardon and parole and for return of paroled prisoners, the sum of seven hundred forty-five dollars ($745.00); for house rent for the governor, the sum of six hundred dollars ($600.00); for employes in the office of the governor, for the period ending June 30, 1907, as per joint resolution No. 5, the sum of six thousand six hundred dollars ($6,600.00).

16. For employes under the custodian, for the period ending June 30, 1907, as per joint resolution No. 5, the sum of twenty-six thousand four hundred dollars ($26,400.00).

17. For providential contingencies the sum of twenty-five thousand dollars, to be expended in accordance with the provisions of section one hundred seventy (170) of the code, the said amount to be under the control of the executive council and all payments from said sum shall first receive its unanimous approval. Any expenditures under this section shall be reported in detail by the auditor of state in his next report.

18. There is hereby appropriated the sum of fifty-two thousand seven hundred fifty dollars ($52,750.00), to be expended under the direction of the executive council, under the provisions of section one hundred sixty-five (165) of the code, for furniture, stores and supplies, and the further sum of eleven thousand dollars ($11,000.00), or so much thereof as shall be necessary, for the purchase of fuel.

19. There is hereby appropriated the sum of eleven thousand dollars ($11,000.00), four thousand of which shall be available at once, to be expended under the direction of the executive council, under the provisions of section one hundred sixty-four (164) of the code.

20. There is hereby appropriated for the payment of post master, for the capitol, for the period ending June 30, 1907, as per joint resolution No. 5, the sum of one thousand dollars ($1,000.00).

21. There is hereby appropriated for the payment of the mail carrier for the Capitol, who shall act as janitor for the office of secretary of the executive council and the supply department, for the period ending June 30, 1907, as per joint resolution No. 5, the sum of one thousand dollars ($1,000.00).

22. For the office of secretary of the executive council, for the period ending June 30, 1907, as per joint resolution No. 5, the sum of five thousand four hundred dollars ($5,400.00).

23. There is hereby appropriated for the purpose of paying express, freight, and drayage, for the period ending June 30, 1907, the sum of seven thousand five hundred dollars ($7,500.00), two thousand five hundred dollars ($2,500.00) of which shall be available at once.

24. To the members of the executive council for extra services, for the period ending June 30, 1907, the sum of eight hundred dollars ($800.00) each, and warrants shall be issued monthly therefor at the end of each month.

25. For the library commission for salaries and expenses for the period ending June 30, 1907, as per joint resolution No. 5, the sum of one thousand eight hundred twenty dollars (1,820).

26. There is hereby appropriated for the purpose of advertising laws, to be expended under the provisions of section thirty-six (36) of the code, the sum of one thousand dollars ($1,000.00).

Section 4. There is hereby appropriated the sum of five thousand dollars ($5,000.00), or so much thereof as shall be necessary, for painting and decorating the offices now occupied by the attorney general, clerk of supreme court, railroad commissioners, and department of agriculture, which shall be expended under the direction of the executive council.

Section 5. Each of the foregoing named officers shall furnish vouchers therefor, containing the items of such expenditures, to the auditor of state before any warrants shall issue therefor, and the amounts thereof, and to whom paid, shall be reported to the next general assembly.

Section 6. For the purpose of paying the interest of the indebtedness of the state to the permanent school fund, the sum of six hundred fifty-six dollars and twenty-five cents ($656.25), which is to be in full of such interest on such indebtedness, and the auditor of state shall draw warrants for the above appropriations as said interest shall become due.

Section 7. To John Herriott, Lieutenant Governor, as President of the Senate the sum of one thousand one hundred dollars ($1,100.00).

Section 8. To G. W. Clarke, as Speaker of the House of Representatives, the sum of five hundred fifty dollars ($550.00), which shall be in addition to his salary as member of the House.

Section 9. For chaplains of the Senate and of the House for the Thirty-first General Assembly, the sum of six hundred ninety-five dollars ($695.00), or so much thereof as may be necessary; warrants therefor to be drawn in favor of the persons entitled thereto, who shall be determined by the Auditor of State upon the certified statement of the President of the Senate and the Speaker of the House.

Section 10. For the payment of the claims due sundry parties for the publication of notices of application for pardon under the provision of section five thousand six hundred twenty-six (5,626), of the code, the sum of two hundred sixteen dollars and ninety-five cents ($216.95), to be paid on a statement approved by the governor.

Section 11. For the support fund of the wardens of the penitentiaries at Anamosa and Fort Madison, the sum of two hundred fifty dollars ($250.00) each, payable quarterly, during the period ending July 1, 1907.

Section 12. For the wardens house fund at the penitent iary at Fort Madison one hundred twenty-five dollars ($125.00) for the period ending July 1, 1907.

Section 13. To the employes of the House and Senate for services required after adjournment two hundred and four dollars ($204.00), or so much thereof as may be necessary.

Section 14. To the Mutual Telephone Company for telephones in the House and Senate cloak rooms for the Thirty-first General Assembly, the sum of sixty dollars ($60.00).

Section 15. To the Secretary of State for extra clerk hire during the Thirty-first General Assembly the sum of six hundred dollars ($600.00); for compiling vital statistics, registrar's fees, the sum of five hundred dollars ($500.00), which sum shall be available at once.

Section 16. To the following counties to pay for farmer's institutes, held in those counties, the institute funds being charged off before vouchers were filed in the office of the auditor of state, sums are appropriated as follows:

To Humboldt county for the year ending June 30, 1904, $75.00
To Palo Alto county for the year ending June 30, 1905, $47.00
To Van Buren county for the year ending June 30, 1905, $56.67

Section 17. To N. N. Jones, warden of state penitentiary at Fort Madison, fifteen dollars ($15.00), for railroad transportation and expenses in appearing before claims committee.

Section 18. For expenses incurred by the state in connection with the funeral of Honorable David B. Henderson, the sum of two hundred ten dollars and sixty-nine cents ($210.69), to be disbursed as follows:

To George J. Feige, manager Hylo Male Quartette	$20.00
To Byrne Brothers, for carriages	32.00
To C. E. Wales Company, for hotel expenses	16,65
To Alfred G. Lozier, for six dozen cut flowers	12.00

To W. A. Harkett, for floral design..... 130.00

Section 19. To B. F. Swanson Company for repairs on typewriters for Thirty-first General Assembly seven dollars ($7.00).

Section 20. To Langan Brothers, for two gross shoe laces for bill and journal files, the sum of one dollar and twenty cents ($1,20).

Section 21. To Drysdale & Hall for badges for the house and senate of the Thirty-first General Assembly, the sum of forty dollars and fifty cents ($40.50).

Section 22. For the rent of storage rooms for the adjutant general for the period ending July 1, 1907, the sum of one thousand dollars ($1,000.00).

Section 23. To Lydia E. Krueger for engrossing memorial resolutions for the Thirty-first General Assembly, the sum of fifty dollars ($50.00), or so much thereof as may be necessary.

Section 24. To the executive council, to meet necessary expenses for which no appropriation is made, the sum of one thousand five hundred dollars ($1,500.00), to be disbursed on claims approved by the executive council, and the Auditor of State shall draw warrants therefor.

Section 25. To the secretary of state for indexing journals for the House and Senate of the Thirty-first General Assembly, in addition to the amount provided by law, the sum of two hundred dollars ($200.00).

Section 26. For expense of state superintendent of weights and measures for attending national convention of state sealers, of weights and measures, the sum of one hundred dollars ($100.00).

Section 27. For the custodian, the sum of five hundred dollars ($500.00) to pay for shoveling snow, and work of a similar character, warrants for same to be drawn upon certificate of the custodian.

Section 28. To the state board of medical examiners the sum of five hundred fifty-seven dollars and twenty-five cents ($557.25), to cover a deficit on per diem as allowed by section twenty-five hundred eighty-three (2583) of the supplement to the code, and by the executive council.

Section 29. To Williams & Patterson, for 151 complete sets of annotations to the laws of Iowa for the Thirty-first General Assembly, the sum of one hundred fifty-one dollars ($151.00).

Section 30. To the state board of health to cover an expense deficit, the sum of one hundred forty-six dollars and thirty-two cents ($146.32).

Section 31. To S. Davidson & Brothers for two desks and one table for the house of representatives, the sum of two hundred dollars ($200.00).

Section 32. To J. B. Copper, for additional janitor services in the historical department during the Thirty-first General Assembly, the sum of one hundred thirty four dollars ($134.00).

Section 33. To the Secretary of State for the purchase of 151 complete sets of the annotations to the laws of Iowa for the use of the Thirty-second General Assembly, the sum of one hundred fifty-one dollars ($151.00).

Section 34. To the attorney general, the sum of three hundred dollars and eighty cents ($300.80), to be disbursed as follows:

Balance of witness fees incurred by state in case of State of Iowa vs. McFarland	$229.25
Witness fees in case of State vs. LaFayette Young	66.30
Witness fees and other costs in case of State vs. James Colligan	5.25

Section 35. To Remley & Remley for trying cases of Bone, ex rel. State of Iowa vs. Hunter, Warden, and Jorday vs Hunter, Warden, the sum of eighty dollars ($80.00).

Section 36. To James H. McKenney as clerk of United States Supreme Court in cases of state vs. Adams Express Company and State vs. American Express Company, the sum of fifteen dollars and seventy cents ($15,70).

Section 37. To Anamosa Eureka for printing abstract in case State vs. Bone, the sum of ten dollars and eighty cents ($10,80).

Section 38. To E. W. Burgitt for survey, plan and report of West Twin Lake, Hancock county, Iowa, in case of State vs. Ole Thompson, the sum of thirty-five dollars ($35.00).

Section 39. To Blaise & Blaise for copy of deposition of G. L. Dobson in case of state vs. LaFayette Young, the sum of two dollars and fifty cents ($2.50).

Section 40. To the Remington Typewriter Company for the rent of typewriter for the Senate for the Thirty-first General Assembly the sum of one dollar ($1.00).

Section 41. To the State Food and Dairy Commissioner for the equipment of a laboratory for use in the enforcement of the pure food law, the sum of three thousand five hundred dollars ($3,500.00), or so much thereof as may be necessary, the same to be expended under the directions of the executive council.

Section 42. To Freeman Thorpe of Galveston, Texas, for balance of purchase price on portrait of Frederick Douglas for the historical, memorial and art building, the sum of one hundred thirty-five dollars ($135.00).

Section 43. To Baker Trisler Company for six dozen file boxes, two walnut gavels, one national postal scale, and for framing portrait of Frederick Douglas, the sum of forty-two dollars and forty-five cents ($42.45).

Section 44. For the services of an assistant curator for the historical department for editorial services, the sum of two hundred fifty dollars ($250.00), to be drawn by authority of the board of trustees.

Section 45. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

Read first and second time.

Senator Hayward moved that the Senate do now adjourn.

Carried.

Senate stood adjourned.

JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, Friday, April 6, 1906.

Senate met in regular session at 9 o'clock A. M., President Herriott presiding.

Prayer was offered by the Rev. Bishop Joseph C. Hartzell of Africa.

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 bill in which the concurrence of the Senate is asked:

House file No. 432 a bill for an act to legalize an administrators deed to certain real estate situated in Allamakee County, Iowa.

C. R. BENEDICT,
Chief Clerk.

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:

House file 430, a bill for an act to legalize the submission to the electors of Webster City of the question of granting a franchise for a gas plant.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

House file 429 a bill for an act to legalize the submission to the electors of Marshalltown of the question of granting a franchise to Petersen Heat, Light and Water Company, for the construction and operation of a heating plant in said city.

C. R. BENEDICT
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House refused to concur in Senate amendments to House file No. 359 in which the concurrence of the House was asked:

A bill for an act to amend section ten hundred sixty (1060) of the code and to repeal section ten hundred seventy-four (1074) of the code and to enact a substitute therefor, relating to the election and terms of office of township trustees.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has refused to concur in the Senate amendments in which the concurrence of the House was asked:

House file 364, a bill for an act to repeal section one thousand sixty-eight (1068) of the code relative to railroad commissioners, and to enact a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the Senate amendments to House file 390 in which the concurrence of the House was asked:

A bill for an act to repeal section twenty-eight hundred twelve-b (2812-b) of the supplement to the code, relating to school district bonds and to enact a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file 391, in which the concurrence of the House was asked:

A bill for an act to repeal section twenty-seven hundred sixty-three (2763) of the code, relating to notice of special meetings, and to enact a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the Senate amendments to House file 368, in which the concurrence of the House was asked.

A bill for an act to repeal the law as it appears in section three thousand sixteen (3016) of the supplement to the code relating to bushel by weight and to enact a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House file 225, in which the concurrence of the House was asked:

A bill for an act to amend section twenty-six hundred four (2604) of the code relating to salary of commandant of the Iowa Soldiers' Home.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Substitute for Senate file 342, a bill for an act to repeal section four hundred eleven (411) of the code and to enact a substitute therefor, relating to boards of supervisors, their election and terms of office.

C. R. BENEDICT,
Chief Clerk.

Also:

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 House was asked:

Joint resolution No. 5 fixing the number and compensation of employes in department of state at the seat of government.

C. R. BENEDICT,
Chief Clerk.

Also:

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

Senate file No. 338, a bill for an act apprropriating money for the inspection of county and private institutions in which insane persons are kept and associations, societies and homes receiving friendless children.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file 350 a bill for an act to legalize the submission to the voters of the city of Creston, Iowa, of the question whether an ordinance entitled "An ordinance authorizing the Des Moines, Winterset and Creston Electric Railway Company, to construct, maintain and operate by electric or other power than steam, street, or interurban railways in, across over and along the streets of the city of Creston, Iowa and defining the powers and duties of said company," should be approved and adopted.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file 295, a bill for an act to amend section twelve hundred ninety-three (1293) of the code, relative to the publication of the official ballot.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file 348, a bill for an act making an appropriation for the benefit of the Benedict Home at Des Moines, the Florence Crittenden Home, the Boys' and Girls' Home, and the House of the Good Shepherd at Sioux City, and the Dubuque Rescue Home and the House of the Good Shepherd at Dubuque, and providing for the method of disbursement and against future appropriations of the kind.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 356, a bill for an act to amend section twenty-seven hundred twenty-nine (2729) relative to terms of office of trustees of county high schools.

C. R. BENEDICT,
Chief Clerk.

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 House is asked.

Senate file No. 170 a bill for an act to repeal section twenty-seven hundred thirteen (2713) of the supplement to the code and to increase the fund for support of the Industrial School and to fix the minimum monthly allowance for each department thereof.

C. R. BENEDICT.
Chief Clerk.

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 House was asked:

Senate file 353, a bill for an act to amend sections seventeen hundred nine (1709) and seventeen hundred ten (1710) of the supplement to the code as amended by the acts of the Thirty-first General Assembly, relative to insurance other than life.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file 283, a bill for an act to amend section thirteen hundred four, (1304) of the code, so as to exempt from taxation the accumulations and funds of fraternal beneficiary associations.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body the House has passed the following bill in which the concurrence of the House was asked:

Senate file No. 274, a bill for an act to amend chapter five (5) of title twenty-four (24) of the code, relating to larceny.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to imform your honorable body that the House names as Conference committee on part of House on House file 330, a bill for an act to repeal sections ten hundred fifty-seven (1057), ten hundred sixty-four (1064), ten hundred sixty-five (1065), ten hundred sixty-six (1066), ten hundred seventy (1070), ten hundred seventy-one (1071), and to enact substitutes therefor, relating to the election of officers and the terms of office, Wright of Webster, Chassell of Plymouth, Cummings of Marshall, Springer of Buchanan.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in and adopted the concurrent committee report on House file 330, a bill for an act to repeal sections one thousand fifty-seven (1057), one thousand sixty-four (1064), one thousand sixty-six (1066), one thousand seventy (1070), one thousand seventy-one (1071) and to enact substitute therefor, relating to the election of officers and the terms of office.

C. R. BENEDICT,
Chief Clerk.

Smith of Mitchell presented three petitions of constituents asking the passage of House file No. 183 relative to exemption.

Referred to Sifting committee.

HOUSE MESSAGES CONSIDERED.

House file No. 432, a bill for an act to legalize an administrators deed to certain real estate situated in Allamakee county, Iowa.

Read first and second time.

By unanimous consent, the bill was taken up and considered at this time.

THIRD READING OF BILLS.

House file No. 432 a bill for an act to legalize an administrators deed to certain real estate situated in Allamakee county Iowa, was taken up and considered.

Senator Saunders moved that the rules be suspended and the bill read a third time now.

Carried.

The bill was read for information.

Senator Saunders moved that the rule be suspended, and that the reading just had be considered its third reading which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Garst, Gillilland, Harper, Hasselquist, Hayward, Hogue, Hughes, Jackson, Jones, Kimmel, Lambert, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Wade, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Bruce, Ericson, Gale, Hartshorn, Hopkins, Jamison, Kinne Maytag, Turner, Warren, Winne—11.

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

HOUSE MESSAGES CONSIDERED.

House file No. 430, a bill for an act to legalize the submission to the electors of Webster City of the question of granting a franchise for a gas plant.

Read first and second time.

By unanimous consent the bill was taken up and considered at this time.

THIRD READING OF BILLS.

House file No. 430, a bill for an act to legalize the submission to the electors of Webster City of the question of granting a franchise for a gas plant, was taken up and considered.

Senator Hartshorn moved that the rules be suspended and the bill be read a third time now.

Carried.

The bill was read for information.

Senator Hartshorn moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Crawford, Crossley, Eckles, Gillilland Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jamison, Jones, Kinne, Lambert, Lewis, Lyons, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—38.

The nays were:

None.

Absent or not voting:

Courtright, Dowell, Dunham, Elerick, Ericson, Gale, Garst, Hogue, Kimmel, Maytag, Warren, Winne—12.

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

HOUSE MESSAGES CONSIDERED.

House file No. 429, a bill for an act to legalize the submission to the electors, of Marshalltown of the question of granting a franchise to Petersen Heat, Light and Water company for the construction and operation of a heating plant in said city.

Read first and second time.

By unanimous consent the bill was taken up and considered at this time.

THIRD READING OF BILLS.

House file No. 429 a bill for an act to legalize the submission to the electors of Marshalltown the question of granting a franchise to Petersen Heat, Light, and Water Company for the construction and operation of a heating plant in said city was taken up, and considered.

Senator Eckles moved that the rules be suspended and the bill read a third time now.

Carried.

The bill was read for information.

Senator Eckles moved that the rule be suspended, and that the reading just had be considered its third reading which motion prevailed.

On the motion Shall the bill pass?

The yeas were:

Bleakly, Courtright, Crawford, Crossley, Dunham, Eckles, Elerick, Ericson, Gale, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jones, Kimmel, Lambert, Lewis, Maytag, Newberry, Saunders. Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stuckslager, Taylor, Turner, Wade, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Washington—37.

The nays were:

None.

Absent or not voting:

Brooks, Bruce, Dowell, Garst, Hogue, Jamison, Kinne, Lyons, Molsberry, Stookey, Warren, Winne, Young of Calhoun—13.

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

HOUSE MESSAGES CONSIDERED.

House file No. 359, a bill for an act to amend section ten hundred sixty (1060) of the code and to repeal section ten hundred seventy-four (1074) of the code and to enact a substitute therefor relating to the election and terms of township trustees.

By unanimous consent the bill was taken up and considered at this time.

Senator Courtright moved that the Senate insist on its amendments.

Carried.

House file No. 364 a bill for an act to repeal section one thousand sixty eight (1068) of the code ralative to Railroad Commissioners, and to enact a substitute therefor.

By unanimous consent the bill was taken up and considered at this time.

Senator Courtright moved that the Senate insist on its amendments.

Carried.

House has concurred in Senate amendments to House file No. 390, a bill for an act to repeal section twenty-eight hundred twelve-b (2812-b) of the supplement to the code, relating to school district bonds and to enact a substitute therefor.

Ordered passed on file.

House has concurred in Senate amendments to House file No. 391, a bill for an act to repeal section twenty-seven hundred sixty-three (2763) of the code, relating to notice of special meetings, and to enact a substitute therefor.

Ordered passed on file.

House has concurred in Senate amendments to House file No. 360, a bill for an act to repeal the law as it appears in section three thousand sixteen (3016) of the supplement to the code, relating to bushel by weight and to enact a substitute therefor.

Ordered passed on file.

House has concurred in Senate amendments to House file No. 225, a bill for an act to amend section twenty-six hundred four (2604) of the code relating to salary of commandant of the Iowa Soldiers' Home.

Ordered passed on file.

House has amended and passed Senate file No. 342, a bill for an act to repeal section four hundred eleven (411) of the code and to enact a substitute therefor, relating to boards of supervisors, their election and terms of office.

By unanimous consent the bill was taken up and considered at this time.

Senator Courtright moved that the Senate refuse to concur in the House amendments.

Carried.

Joint resolution No. 5, fixing the number and compensation of employees in the department of state at the seat of government.

Ordered passed on file.

Senate file No. 333, a bill for an act appropriating money for the inspection of county and private institutions in which insane persons are kept and associations, societies and homes receiving friendless children.

Ordered passed on file.

Senate file No. 350, a bill for an act to legalize the submission to the voters of the city of Creston, Iowa, of the question whether an ordinance entitled "An ordinance authorizing the Des Moines Winterset and Creston Electric Railway Company to construct, maintain and operate by electric or other power than steam, street and interurban railways in, across, over and along the streets of the city of Creston, Iowa, and defining the powers and duties of said company", should be approved and adopted.

Ordered passed on file.

Senate file No. 295, a bill for an act to amend section twelve hundred ninety three (1293) of the code relative to the publication of the official ballot.

Ordered passed on file.

Senate file No. 348, a bill for an act making an appropriation for the benefit of the Benedict Home at Des Moines, the Florence Crittenden Home, the Boys and Girls Home, and and the House of the Good Shepherd at Sioux City, and the Dubuque Rescue Home and the House of the Good Shepherd at Dubuque, and providing for the method of disbursement and against future appropriations of the kind.

Ordered passed on file.

Senate file No. 345, a bill for an act to amend section twenty seven hundred twenty-nine (2729) relative to terms of office of trustees of county high schools.

Ordered passed on file.

Senate file No. 170, a bill for an act to repeal section twenty-seven hundred thirteen (2713) of the supplement to the code and to increase the fund for the support of the Industrial School and to fix the minimum monthly allowance for each department thereof.

Ordered passed on file.

Senate file No. 353, a bill for an act to amend sections seventeen hundred nine (1709) and seventeen hundred ten (1710) of the supplement to the code as amended by the acts of the Thirty-first General Assembly relative to insurance other than life.

Ordered passed on file.

Senate file No. 283, a bill for an act to amend section thirteen hundred four (1304) of the code, so as to exempt from taxation the accumulations and funds of fraternal beneficiary associations.

Ordered passed on file.

Senate file No. 274 a bill for an act to amend chapter five (5) of title twenty-four (24) of the code, relating to larceny.

Ordered passed on file.

House has concurred in and adopted Conference committee report on house file No 330, a bill for an act to repeal sections ten hundred fifty-seven (1057), ten hundred sixty-four (1064), ten hundred sixty-six (1066), ten hundred seventy (1070), ten hundred seventy-one (1071), and to enact substitute therefor relating to the election of officers and the terms of office.

By unanimous consent the bill was taken up and considered at this time.

THIRD READING OF BILLS

House file No. 330 a bill for an act to repeal sections one thousand sixty-four (1064), one thousand sixty-five (1065), one thousand sixty-six (1066), one thousand sixty-eight (1068), one thousand seventy (1070), one thousand seventy-one (1071), one thousand seventy-four (1074), and to enact substitutes therefor, relating to the election of officers and the terms of office.

Senator Courtright moved the adoption of the following amendments recommended by the Conference committee:

Amend by striking from section five (5) of said bill as amended, viz:

"And the judge whose term of office will soonest expire shall be chief justice, and when it occurs that two judges shall be equally entitled, they shall each hold the place of chief justice for one year and shall cast lots as to who shall hold for the first of the two years to which they are thus equally entitled."

And that in lieu of the words so stricken, the following words be inserted: "And the judge whose term of office will soonest expire shall be chief justice and when it occurs that two judges shall be equally entitled, they shall each hold the place of chief justice for one year, and the one who is senior in age shall hold for the first of the two years of which they are equally entitled; and at the session of the Supreme Court next preceding the commencement of the first of the said two years the Supreme Court shall cause a record to be made as to who shall be the chief justice for the year next ensuing."

On the question, Shall the amendments be adopted?

The yeas were:

Bleakly, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hughes, Jackson, Jamison, Jones, Kimmel, Lewis, Lyons, Maytag, Molsberry, Newberry, Smith of Des Moines, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Brooks, Gale, Garst, Hogue, Hopkins, Kinne, Lambert, Saunders, Smith of Mitchell, Turner, Young of Calhoun—11.

So the amendments were adopted.

Senate file No. 307, a bill for an act to amend section twenty-four hundred sixty-nine (2469), and to amend the law as it appears in section twenty-four hundred seventy (2470) of the supplement to the code, relating to the Bureau of Labor Statistics, was taken up and considered.

Senator Courtright moved that the Senate refuse to concur in the House amendments.

Carried.

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 names as conference committee on part of House on House file 176, a bill for an act to provide for the erection, repair, improvement and equipment of buildings for the State Normal school, Temple of Clarke, Kendall of Monroe, Jepson of Woodbury, Willson of Washington.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House names as Conference committee on part of House on House file No. 192, a bill for an act to provide for the erection, repair and equipment of buildings for the Iowa State College of Agriculture and Mechanic Arts: Temple of Clarke, Kendall of Monroe, Jepson of Woodbury, Willson of Washington.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has named as Conference committee on part of the House on House file 207, a bill for an act providing for a levy of a special tax of one-fifth of a mill on the dollar upon the assessed valuation of the taxable property of the State for the erection, repair and improvement of buildings for the State University of Iowa, Temple of Clark, Kendall of Monroe, Jepson of Woodbury, Willson of Washington.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

Senate file No. 308 a bill for an act to amend sections one (1) and nine (9) of chapter eighty-seven (87) of the acts of the Thirtieth General Assembly in relation to petroleum and its products was taken up and considered.

Senator Courtright moved that the Senate refuse to concur in the House amendments.

Carried.

The Journals of April 3rd, 4th and 5th were taken up, corrected and approved

THIRD READING OF BILLS.

Senate file No. 319, a bill for an act to repeal section twenty-seven hundred twenty-six (2726) of the code and to enact a sub-

stitute therefor, relating to the expense of inmates of school for the deaf, and the time and manner of certifying the same to the county auditor and the auditor of state, and the payment of the same was taken up, and considered.

Senator Saunders moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Dowell, Dunham, Eckles, Elerick, Ericson. Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hughes, Jackson, Jones, Lambert, Lewis, Lyons, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Taylor, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Washington—35.

The nays were:

None.

Absent or not voting:

Crossley, Gale, Garst, Hogue, Hopkins, Jamison, Kimmel, Kinne, Maytag, Molsberry, Stookey, Stuckslager, Turner, Winne, Young of Calhoun—15.

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

By unanimous consent Senate file No. 192, a bill for an act to amend section twenty-six hundred forty-seven (2647) of the code in relation to the powers of the board of trustees of the State College of Agriculture and Mechanic Arts, with report of committee recommending a substitute and passage, was taken up, considered, and the report of the committee adopted.

Senator Saunders moved that the substitute recommended by the committee be substituted for the original bill.

Carried.

Senator Saunders moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hughes, Jackson, Jones, Kimmel, Lambert, Lewis, Lyons, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Taylor, Wade, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Brooks, Gale, Hogue, Hopkins, Jamison, Kinne, Maytag, Molsberry, Spaulding, Stuckslager, Turner, Warren, Young of Lee, Young of Washington—14.

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

By unanimous consent, Senate file No. 320, a bill for an act to repeal section twenty-two hundred ninety-two (2292) of the code and to enact a substitute therefor, relating to the expenses of the insane and the time and manner of certifying the same to the county auditor and the auditor of state and the payment of same, was taken up and considered.

Senator Saunders moved that the rule be suspended, and that the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hughes, Jackson, Jamison, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Taylor, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Washington—40.

The nays were:

None,

Absent or not voting:

Ericson, Hogue, Hopkins, Jones, Molsberry, Newberry, Stuckslager, Turner, Young of Lee, Young of Calhoun—10.

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

Senator Harper, upon the request of Senator Taylor, chairman of the special committee appointed to prepare suitable resolutions of respect to the memory of the late Honorable Samuel Alphonso Moore, late of Davis county, Iowa, submitted the following report:

MR. PRESIDENT—Your committee appointed to prepare suitable resolutions of respect to the memory of the Hon. Samuel Alphonso Moore, late of Davis county, beg leave to report as follows:

WHEREAS, The Hon. Samuel Alphonso Moore, an honored member of the Tenth and Eleventh General Assemblies representing Davis county in the Senate and also an honored member of the House of the Twenty-ninth General Assembly of Iowa, departed this life February 6, 1905.

Col. S. A. Moore was born in Lawrenceburg, Dearborn county, Ind., December 16, 1821. He was the eldest of three children, and at the age of eight years was apprenticed to David V. Cully, editor of a newspaper. He served four years in this position and then worked in a store and at type-setting until 1835 when he moved with his mother to Bartholomew county. In the spring of 1849 he started a Whig newspaper called "The Spirit of the West," which he continued until appointed postmaster at Columbus, Ind., by President Fillmore. He was a member of the Indiana Legislature, 1850-51. He moved to Davis county, Iowa, in March, 1853, where he carried on the business of farming until he was elected county judge in August, 1855, which office he held two years and then returned to the farm.

He enlisted April 20, 1861, in Company G, Second Iowa Infantry, and was mustered in as Second Lieutenant of the company. Was promoted to Captain, November 25, 1861, and was in command of the company at the battle of Ft. Donelson, February 18, 1862, and at Shiloh, April 6, where he was wounded three times, two wounds being very severe, totally disabling him. He went to his home and being wholly unfit for duty resigned September 15, 1862. In 1863 he was elected State Senator from Davis county and served in the Tenth General Assembly. In May, 1864, he assisted in the organization of Company D, Forty-fifth Iowa Infantry. Was elected Captain and was mustered into the U. S. service May 25, 1864, as Lieutenant Colonel and served with the regiment until mustered out of service.

His seat in the Senate became vacant by reason of his service in th army and he was elected to fill the vacancy and served in the Eleventh General Assembly.

He served as postmaster at Bloomfield for four years commencing in January, 1879. In 1901, he was elected to the lower House of the State Legislature from Davis county and was the oldest member of the Twenty-ninth General Assembly, being eighty years of age at the time of his election. He was sergeant-at-arms in the House in the Thirtieth General Assembly.

The Bloomfield Republican of February 9, 1905, said:

"Col. S. A. Moore was one of the pioneer law-makers of Iowa, and early labored to establish the foundations of our State upon a basis that would mean future growth, power and influence. How well he and his associates did their work is told in the wealth and greatness of Iowa and in all the affairs of the people and the nation. He loved his country with a patriotic fervor that burns for time and eternity. The flag to him meant sacrifice and suffering. It represented to him the only true principles for people to cultivate and recognize. His blood was shed for his country. He was a man true as steel to the best in morals, education, religion and the simple virtues that make a friend and neighbor. He did not belong to Davis county alone—the State of Iowa knew him and his virtues and the people of this nation have forever enshrined in their memory such heroes to be perpetuated in our history. His record in the Legislative Halls of his State is made. His record for patriotism, when the life of our beloved country seemed hanging in the balance, was written in his own blood on the field of Shiloh. The eloquent tongue is silent but the words it uttered will be remembered on the side of hope, progress and right living. His pen has ceased its coinings but the charms of his message will never cease to touch the noble sentiments of true manhood and womanhood. His courtly manners marked him as a gentleman of the first order. His manly words of advice will go down the years with us as we look to the characters with which we love to commune. We do not grieve though we stand in sorrow. His life should be emulated by the young of our land. His honesty and integrity shine for a more perfect day. Wrap the hero in old glory and consign the form of our old friend and neighbor to its tomb and the God of Nations will take the spirit into sweet communion forever. No man ever lived in Davis county who so completely had the confidence and love of the people regardless of sect or politics as Colonel Moore."

Resolved, That in the death of this noble, patriotic soldier, citizen and legislator, the State has lost a good citizen, the community in which he lived one of its most conscientious and honorable members, his family a kind and loving husband and father.

Resolved, That we extend to his family and those nearest him, our sincere sympathy in their sorrow. That the Secretary of the Senate is hereby instructed to transmit an engrossed copy of these resolutions to the bereaved family, and to enter the same upon the Journal of the Senate.

L. L. TAYLOR,
S. H. HARPER,
MARION F. STOOKEY,
Committee.

Senator Harper spoke as follows:

MR. PRESIDENT—I have been requested to submit a few remarks on the memory of the late Col. Moore, but will make them brief, owing to the value of time.

I knew Col. Moore and I valued him as one of my most cherished friends. His was a splendid illustration, a living example of the simple life; an orphan, an apprentice, a printer, a newspaper editor, a farmer, a country merchant, a postmaster, a soldier and a legislator. He was one of the common people. He did not aspire to riches, greatness or fame. He was in touch always with the plain people. He knew their wants, their needs, their foibles, their faults and their grievances. He knew their virtues and their good qualities. He was always ready to aid them, to sympathize with them and to be one of them. Col. Moore was a good citizen, a kind and loving husband, a good neighbor, a warm-hearted friend, a gallant soldier, a patriotic American. He has passed away. He died at his home in Bloomfield, peacefully, among his friends, where he had lived so long, mourned by all who knew him. He has fought the good fight, he has finished the course, he has crossed the bar, he has answered to taps, he has been summoned above by the Grand Commander of the Universe.

Senator Harper moved the adoption of the resolutions by a rising vote.

Carried unanimously.

Sanator Stookey moved that the remarks made by Senator Harper be printed in the Journal.

Carried.

The President announced that he had signed in the presence of the Senate, Senate files Nos. 315, 347, 16, 329, 216, 277, 246, 205, 247, 110.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Turner, from the committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your committee on Enrolled Bills, respectfully report that they have examined, and find correctly enrolled, Senate file No. 110, a bill for an act to amend the law as it appears in section sixteen hundred fifty-seven-d (1657-d) of the supplement to the code, relating to the Agricultural convention.

Also:

Senate file 315, a bill for an act to provide that life insurance companies may transact health, accident and employers liability insurance.

Also:

Senate file 347, a bill for an act to amend the law as it appears in section two thousand twenty-six (2026) of the supplement to the code, relating to street railways over highways.

Also:

Senate file 16, a bill for an act to amend the law as it appears in section four hundred forty-one (441) of the supplement to the code in relation to official newspapers.

Also:

Senate file 329, a bill for an act to provide for the payment of certain expenses of indigent patients paroled or discharged from the State Hospital for Inebriates at Knoxville, and the hospital for female inebriates.

Also:

Senate file 216, a bill for an act to amend chapter eighty (80) of the acts of the Thirtieth General Assembly in regard to the admission of patients in hospitals for inebriates.

Also:

Senate file 277, a bill for an act to appropriate the sum of one hundred ($100) dollars to pay E. S. Frank for money advanced by him to the State of Iowa for rent for certain lake beds situated in Wright and Hancock counties, Iowa.

Also:

Senate file 246, a bill for an act to repeal section twenty-two hundred eighty-seven (2287) of the code and chapter seventy-nine (79) of the acts of the Thirtieth General Assembly, amending said section and to enact a substitute therefor in regard to the capture and return of patients escaped from hospitals for the insane and the payment of the expense thereof.

Also:

Senate file 205, a bill for an act to appropriate the sum of seventy-five ($75) dollars to pay Henry Eyler for money advanced by him to the State of Iowa as rent for certain lake beds situated in Wright county, Iowa.

Also:

Senate file 247, a bill for an act to provide for the care and removal to their place of legal settlement of non-resident insane and for the payment of the expenses thereof and repealing the law as it appears in section twenty-seven hundred twenty-seven-a twenty-eight (2727-a 28) of the supplement to the code and all acts and parts of acts in conflict with this act.

D. W. TURNER,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turner, from the joint committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT—Your joint committee on Enrolled Bills, respectfully report that they have examined, and find correctly enrolled, Senate file No. 110, a bill for an act to amend the law as it appears in section sixteen hundred fifty-seven-d (1657-d) of the supplement to the code, relating to the Agricultural convention.

Also:

Senate file 315, a bill for an act to provide that life insurance companies may transact health, accident and employers liability insurance.

Also:

Senate file 347, a bill for an act to amend the law as it appears in section two thousand twenty-six (2026) of the supplement to the code, relating to street railways over highways.

Also:

Senate file 16, a bill for an act to amend the law as it appears in section four hundred forty-one (441) of the supplement to the code in relation to official newspapers.

Also:

Senate file 329, a bill for an act to provide for the payment of certain expenses of indigent patients paroled or discharged from the State Hospital for Inebriates at Knoxville, and the hospital for female inebriates.

Also:

Senate file 216, a bill for an act to amend chapter eighty (80) of the acts of the Thirtieth General Assembly, in regard to the admission of the patients in hospitals for inebriates.

Also:

Senate file 277, a bill for an act to appropriate the sum of one hundred $100) dollars to pay E. S. Frank for money advanced by him to the State of Iowa for rent for certain lake beds situated in Wright and Hancock counties, Iowa.

Also:

Senate file 246, a bill for an act to repeal section twenty-two hundred eighty-seven (2287) of the code and chapter seventy-nine (79) of the acts of the Thirtieth General Assembly amending said section and to enact a substitute therefor, in regard to the capture and return of patients escaped from hospitals for the insane and the payment of the expenses thereof.

Also:

Senate file 205, a bill for an act to appropriate the sum of seventy-five ($75) dollars to pay Henry Eyler for money advanced by him to the State of Iowa as rent for certain lake beds situated in Wright county, Iowa.

Also:

Senate file 247, a bill for an act to provide for the care and removal to their place of legal settlement of non-resident insane and for the payment of the expenses thereof and repealing the law as it appears in section twenty-seven hundred twenty-seven-a twenty-eight (2727-a 28) of the supplement to the code and all acts and parts of acts in conflict with this act.

D. W. TURNER,
Chairman Senate Committee.
H. L. SPAULDING,
Chairman House Committee.

Senator Taylor, from the special committee appointed to prepare suitable resolutions in memory of the late Hon. Edward J. Gault of Appanoose county, Iowa, submitted the following report:

MR. PRESIDENT—Your committee to prepare resolutions in memory of the late Hon. Edward J. Gault of Appanoose county, Iowa, beg leave to submit the following:

Edward J Gault was born near Belfast, Ireland, June 1, 1828. His parents were both natives of the Emerald Isle. He came to America with his parents in 1839 and first settled in Philadelphia, Pa., remaining there about ten years. In the spring of 1853 he came to Appanoose county, Iowa, the place which was to be his future home and began to lay the foundation for a long and eventful career.

On the 25th day of December, 1853, he was united in marriage to Miss Sophia L. McClure. In the fall of 1861, Mr. Gault was elected as a member of the Legislature. In this capacity he served his county and State in such

a manner as to bring credit to his constituency and honor to himself. In 1871, his county again called him into service, and this time he was elected to the State Senate. In 1853 he was again elected to the State Senate.

This closed another chapter in the life of a good man. One whose influence will be greatly missed in Appanoose county, and more especially in and about the town of Cincinnatti, which for fifty-one years had been his home.

WHEREAS, Hon. Edward J. Gault, a member of the Senate in the Fourteenth, Fifteenth, Twentieth and Twenty-first General Assemblies and a member of the House of Representatives in the Ninth General Assembly, departed this life at his home in Cincinnati, Appanoose county, Iowa, August 24, 1904, having reached the age of seventy-six years, two months, and twenty-three days; therefore be it

Resolved, That in the death of this noble man the State has lost an able and high-minded citizen and Legislator, who at all times was a staunch and untiring advocate of the interests of his people and his fellow citizens.

Resolved, That we join with his neighbors and friends in sorrow at their loss and hereby tender to his family our sincere sympathy in this, their hour of sorrow and bereavement; and be it

Resolved, That a copy of these resolutions be placed upon the records of the Senate and that a properly engrossed copy, authenticated by the Secretary, be sent to the members of the family.

L. L. TAYLOR,
D. A. YOUNG,
L. W. LEWIS,
Senate Committee.

W. M. MCCREARY,
GEO. W. MCCULLOCH,
L. F. SUMMERS,
House Committee.

Senator Taylor moved the adoption of the resolutions.

Adopted unaminously by a rising vote.

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 bill in which the concurrence of the House was asked:

Senate file 161, a bill for an act providing for the inside finishing and completion of the Historical, Memorial and Art Building, also for the purchase of a steel book stack, and making an appropriation therefor.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file 285, a bill for an act in relation to a lost, stolen or destroyed note, bond, bill of exchange, draft, certificate of deposit or other evidence of indebtedness and prescribing how action may be brought.

C. R. BENEDICT,
Chief Clerk.

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:

House file No. 433, a bill for an act to provide for general levy for state purposes for the year 1906.

C. R. BENEDICT,
Chief Clerk,

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 House was asked:

Senate file 349, a bill for an act to amend section eight hundred one (801) of the code relating to street improvements, sewers and preliminary notices of sewer improvements.

C. R. BENEDICT,
Chief Clerk.

THIRD READING OF BILLS.

Senate file No. 358 a bill for an act to make appropriations for the payment of state and judicial officers, state and other expenses, was taken up and considered.

Senator Garst offered the following amendment and moved its adoption.

Add as section forty-five (45) the following:

Section 45, for the purchase of real estate facing Capitol buildings $3500, same to be expended under the direction of the Executive Council.

Change section forty-five (45) to forty-six (46).

Senator Garst offered the following amendment and moved its adoption:

Add as section forty-six (46) the following:

Section 46. There is hereby appropriated out of any money in the treasury not otherwise appropriated the sum of seven hundred fifty ($750.00) dollars, to be expended under the direction of the Board of Curators of the States Historical Society, for the purpose of defraying the proper and legitimate expenses of holding at Iowa City in 1907 a semi-centennial anniversary celebration of the adoption of the Constitution of Iowa and publishing the proceedings thereof. Provided, that said Board of Curators are to serve without compensation, and this appropriation not to be available before January 1, 1907.

On the question, Shall the amendment be adopted?

A roll call was demanded.

The yeas were:

Bleakly, Bruce, Courtright, Crossley, Ericson, Gillilland, Hughes, Jackson, Lewis, Saunders, Stookey, Stuckslager, Warren, Wilson of Clinton—14.

The nays were:

Dowell, Dunham, Eckles, Elerick, Hartshorn, Jones, Lambert, Maytag, Smith of Des Moines, Smith of Mitchell, Taylor Wilson of Fayette, Young of Washington—13.

Absent or not voting:

Brooks, Crawford, Gale, Garst, Harper, Hasselquist, Hayward, Hogue, Hopkins, Jamison, Kimmel, Kinne, Lyons, Molsberry, Newberry, Spaulding, Stirton, Turner, Wade, Whipple, Winne, Young of Lee, Young of Calhoun—23.

So the amendment was adopted.

The chair announced the Senate as in Committee of the Whole.

The chair announced the Senate as in regular session.

Senator Garst moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Crossley, Dowell, Dunham, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hughes, Jackson, Jamison, Jones, Lambert, Lewis, Lyons, Maytag, Newberry,

Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Washington—43.

The nays were:

None.

Absent or not voting:

Bruce, Hopkins, Kimmel, Kinne, Molsberry, Turner, Young of Calhoun—7.

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

By unanimous consent, House file No 428, a bill for an act to legalize the submission to the electors of the city of Albia, of the question of establishing a free public library in said city, was taken up and considered.

Senator Warren moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the queston, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Courtright, Crawford, Crossley, Dowell Dunham, Eckles, Elerick, Ericson, Gillilland, Harper, Hartshorn, Hasselquist, Hayward, Hogue, Hughes, Jackson, Jamison, Jones, Kimmel, Lyons, Maytag, Saunders, Smith of Des Moines, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Wilson of Fayette, Wilson of Clinton, Young of Lee, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Bruce, Gale, Garst, Hopkins, Kinne, Lambert, Lewis, Molsberry, Newberry, Smith of Mitchell, Turner, Whipple, Winne, Young of Calhoun—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title 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 failed to pass the following bill in which the concurrence of the House was asked:

Senate file No. 241, a bill for an act to amend section seven hundred sixty-eight (768) of the code, relating to the enclosing of street car vestibules.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 352, a bill for an act to repeal the law as it appears in section two hundred fifty-six-a (256-a) of the supplement to the code, relating to the election and terms of judges of the superior court and enacting a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has indefinitely postponed the following bill in which the concurrence of the House was asked:

Senate file No. 208, a bill for an act to amend section twenty-one hundred fifty-eight (2158,) chapter eight (8,) title ten (10,) of the code referring to telegraph and telephone lines.

C. R. BENEDICT.
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House insists upon its amendments to Senate file No. 342, in which the concurrence of the Senate was asked:

A bill for an act to repeal section four hundred eleven (411) of the code, and to enact a substitute therefor relating to boards of supervisors, their election and terms of office: and the Speaker names as Conference committee on part of the House: Laird, Calderwood, Mott and Jones.

C. R. BENEDICT,
Chief Clerk.

Senator Saunders from the committee on Penitentiaries and Pardons submitted the following report:

MR. PRESIDENT—Your committee on Penitentiaries and Pardons, to whom was referred the application of Louis Busse, a convict now confined in the State penitentiary under sentence of death pronounced by the District Court of Bremer county for the murder of his wife, for commutation of said sentence to life imprisonment, beg leave to report that they have had the said application under consideration and authorize me to report that the judgment of the said committee is that the legislature has no authority or power to act on the case presented and that the same should be returned to the Governor without recommendation.

C. G. SAUNDERS,
Chairman.
J. T. BROOKS,
D. A. YOUNG,
T. W. CRAWFORD,
MARION F. STOOKEY,
B. W. NEWBERRY,
JAS. A. SMITH,
Committee.

Senator Suanders moved the adoption of the report.

Adopted.

Also:

MR. PRESIDENT—Your committee on Penitentiaries and Pardons to whom was referred the application of Joseph C. Smith, a convict now confined in the State penitentiary under sentence of death pronounced by the District Court of Monroe county for murder, for commutation of said sentence to life imprisonment, beg leave to report that they have had the said application under consideration and authorize me to report that the judgment of said committee is that the Legislature has no authority or power to act on the case presented and that the same should be returned to the Governor without recommendation,

C. G. SAUNDERS,
Chairman.
J. T. BROOKS,
D. A. YOUNG,
T. W. CRAWFORD,
MARION F. STOOKEY,
B. W. NEWBERRY,
JAS. C. SMITH,
Committee.

Senator Saunders moved the adoption of the report.

Adopted.

Senator Saunders moved that the rule be suspended and that House file No. 426 be recalled from the Appropriation committee.

Senator Jones moved the previous question.

Carried.

On the question, Shall the motion prevail?

A roll call was demanded.

The yeas were:

Bleakly, Crossley, Eckles, Ericson, Gale, Gillilland, Hartshorn, Hughes, Jackson, Jamison, Kimmel, Molsberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Young of Lee, Young of Washington—24.

The nays were:

Brooks, Bruce, Courtright, Crawford, Dowell, Dunham, Garst, Hasselquist, Hayward, Jones, Lyons, Maytag, Turner, Wilson of Fayette, Wilson of Clinton—15.

Absent or not voting:

Elerick, Harper, Hogue, Hopkins, Kinne, Lambert, Lewis, Newberry, Whipple, Winne, Young of Calhoun—11.

So the motion was lost.

HOUSE MESSAGES CONSIDERED.

Senate file 349, a bill for an act to amend section eight hundred one (801) of the code relating to street improvements, sewers, and preliminary notices of sewer improvements.

Ordered passed on file.

House file No. 433, a bill for an act to provide for general levy for state purposes for the year 1906.

Ordered passed on file.

Senate file No. 285, a bill for act in relation to lost, stolen or destroyed note, bond, bill of exchange, draft, certificate of deposit or other evidence of indebtedness and prescribing how action may be brought.

Ordered passed on file.

Senate file No. 161, a bill for an act providing for the inside finishing and completion of the Historical, Memorial and Art Building, also for the purchase of steel book stack, and making an appropriation therefor.

Ordered passed on file.

House names as Conference committee on part of House on House file No. 192, a bill for an act to provide for the erection, repair and equipment of buildings for the Iowa State College of Agriculture and Mechanic Arts; Temple of Clarke, Kendall of Monroe, Jepson of Woodbury, Willson of Washington.

Ordered passed on file.

House names as Conference committee on part of the House on Senate file No. 207, a bill for an act providing for a levy of a special tax of one-fifth of a mill on the dollar upon the assessed valuation of the taxable property of the State for the erection, repair and improvement of buildings for the State University of Iowa; Temple of Clarke, Kendall of Monroe, Jepson of Woodbury, Wilson of Washington.

Ordered passed on file.

House names as Conference committee on part of House on House file 176, a bill for an act to provide for the erection, repair, improvement and equipment of buildings for the State Normal School; Temple of Clarke, Kendall of Monroe, Jepson of Woodbury, Wilson of Washington.

Ordered passed on file.

Senate file No. 352, a bill for an act to repeal the law as it appears in section two hundred fifty-six-a (256-a) of the supplement to the code, relating to the election and terms of judges of the superior court and enacting a substitute therefor.

Ordered passed on file.

House failed to pass Senate file No. 241, a bill for an act to amend section seven hundred sixty-eight (768) of the code, relating to the enclosing of street car vestibules.

Ordered passed on file.

House indefinitely postponed, Senate file No. 208, a bill for an act to amend section twenty-one hundred fifty-eight (2158), chapter eight (8), title ten (10) of the code referring to telegraph and telephone lines.

Ordered passed on file.

House insists upon its amendments to Senate file No. 342, a bill for an act to repeal section four hundred eleven (411) of the code, and to enact a substitute therefor, relating to boards of supervisors, their election and terms of office, and the Speaker names as Conference committe on part of House; Laird, Calderwood, Mott and Jones.

Ordered passed on file.

Senate file No. 282, a bill for an act for the relief of the grantees of John S. Bussey, and for the purpose of having a patent issued in the name of Samuel Kingery, for a certain tract of land.

Ordered passed on file.

Senate file No. 336, a bill for an act to amend section thirteen hundred twenty-two (1322) of the code, relating to taxation of national, state and savings banks and the shares of stock therein.

Ordered passed on file.

The chair announced as the Conference committee on the Tenure of Office bills; Senators Courtright, Jamison, Dunham, Gillilland.

Senator Garst moved that the Senate do now take a recess until called to order by the chair.

Carried.

The President called the Senate to order.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the Speaker of the House has named as Conference committee on the part of the House, on House file No. 364, a bill for an act to repeal section ten hundred sixty-eight (1068) of the code, relative to Railroad Commissioners, and to enact a substitute therefor: Wright of Webster, Cummings of Marshall, Crose of Page, Koontz of Johnson.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 354, a bill for an act to apportion the State into Senatorial Districts and declare the ratio of representation.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file 358, a bill for an act making appropriation for the payment of state and judicial officers, state and other expenses.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file 319, a bill for an act to repeal section twenty-seven hundred twenty-six (2726), of the code and to enact a substitute therefor, relating to the expense of inmates of the School for the Deaf and the time and manner of certifying the same to the county auditor and the auditor of state and the payment of same.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file No. 320, a bill for an act to repeal section twenty-two hundred ninety-two (2292) of the code and enact a substitute therefor, relating to the expense of the insane and of inebriates and the time and manner of certifying the same to the county auditor and the auditor of state, and the payment of same.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the Speaker of the House has named as Conference committee on part of House, on House file 359, a bill for an act to amend section ten hundred sixty (1060) of the code and to repeal section ten hundred seventy-four (1074) of the code and to enact a substitute therefor, relating to the election and terms of office of township trustees: Laird of Fremont, Doran of Boone, Mott of Audubon, Jones of Montgomery.

C. R. BENEDICT,
Chief Clerk.

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 House was asked:

Senate file 252, a bill for an act amendatory of the law as it appears in chapter sixty-eight (68) acts of the Thirtieth General Assembly of Iowa, relating to levees, ditches, drains and water courses, repealing sections eighteen (18), nineteen (19), and forty-four (44), of said chapter and enacting substitutes therefor and amending other sections of said chapter.

C. R. BENEDICT.
Chief Clerk.

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 House was asked:

Senate file 192, a bill for an act authorizing the governing board of the Iowa State College of Agriculture and Mechanic Arts to contract with the city of Ames concerning the collecting and disposal of sewage and the construction of sewers across the college grounds.

C. R. BENEDICT,

Chief Clerk.

THIRD READING OF BILLS.

House file No. 433, a bill for an act to provide for the general levy for state purposes for the year nineteen hundred seven (1907), was taken up and considered.

Senator Hayward moved that the rules be suspended and the bill read a third time now.

Carried.

The bill was read a third time.

Senator Hayward offered the following amendment and moved its adoption:

Amend title of bill by changing the words and figures in second line from "years 1907" to the words and figures "years 1906".

Adopted.

Senator Hayward moved that the rule be suspended, and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Brooks, Bruce, Dowell, Eckles, Elerick, Ericson, Garst, Harper, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Stirton, Stookey, Stuckslager, Taylor, Wade, Warren, Whipple, Wilson of Clinton, Young of Lee, Young of Calhoun, Young of Washington—35.

The nays were:

None.

Absent or not voting:

Courtright, Crawford, Crossley, Dunham, Gale, Gillilland, Hartshorn, Hogue, Jamison, Lewis, Smith of Mitchell, Spaulding, Taylor, Wilson of Fayette, Winne—15.

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

HOUSE MESSAGES CONSIDERED.

Speaker of the House has named as conference committee on the part of the House, on House file No. 364, a bill for an act to repeal section ten hundred sixty-eight (1068) of the code relative to Railroad Commissioners, and to enact a substitute therefor, Wright of Webster, Cummings of Marshall, Crose of Page, Koontz of Johnson.

Ordered passed on file.

Senate file No. 354, a bill for an act to apportion the state into Senatorial Districts and declare the ratio of representation.

Ordered passed on file.

Senate file No. 358, a bill for an act making appropriation for the payment of state and judicial officers state and other expenses.

Ordered passed on file.

Senate file No, 319, a bill for an act to repeal section twenty-seven hundred twenty six (2726) of the code and to enact a substitute therefor, relating to the expense of inmates of the school for the deaf and the time and manner of certifying the same to the county auditor and the auditor of state, and the payment of same.

Ordered passed on file.

Senate file No. 320, a bill for an act to repeal section twenty-two hundred ninety-two (2292) of the code and to enact a substitute therefor, relating to the expense of the insane and of inebriates and the time and manner of certifying the same to the county auditor and the auditor of state, and the payment of same.

Ordered passed on file.

Speaker of the House has named as Conference committee on part of House, on House file 359, a bill for an act to amend

section ten hundred sixty (1060) of the code and to repeal section ten hundred seventy-four (1074) of the code and to enact a substitute therefor, relating to the election and terms of office of township trustees, Laird of Fremont, Doran of Boone, Mott of Audubon, Jones of Montgomery.

Ordered passed on file.

Senate file No. 252, a bill for an act amendatory of the law as it appears in chapter sixty-eight (68) of the acts of the Thirtieth General Assembly of Iowa, relating to levees, ditches, drains and water courses, repealing sections eighteen (18), nineteen (19) and forty-four (44) of said chapter enacting substitutes therefor and amending other sections of said chapter.

Ordered passed on file.

Senate file No. 192, a bill for an act authorizing the governing board of the Iowa State College of Agriculture and Mechanic Arts to contract with the city of Ames concerning the collecting and disposal of sewage and the construction of sewers across the college grounds.

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 concurred in Senate amendment to House file 433 in which the concurrence of the House was asked:

A bill for an act to provide for the general levy for state purposes for the year 1906.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

House concurred in amendments to House file No. 433, a bill for an act to provide for the general levy for state purposes for the year 1906.

Ordered passed on file.

Senator Dowell was called to the chair at 11:45 A. M.

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 adopted the Conference committee report on House file No. 192 and passed the bill as amended.

A bill for an act to provide for the erection, repair and equipment of building for the Iowa State College of Agriculture and Mechanic Arts.

C. R. BENEDICT,
Chief Clerk,

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the conference committee report on House file No. 176

A bill for an act to provide for the erection, repair, improvement and equipment of buildings for the State Normal School.

C. R. BENEDICT.
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the report of the Conference committee on House file No. 207.

A bill for an act providing for a levy of a special tax of one-fifth of a mill on the dollar upon the assessed valuation of the taxable property of the state for the erection, repair and improvement of buildings for the University of Iowa.

C. R. BENEDICT,
Chief Clerk.

REPORT OF COMMITTEE.

Senator Garst, from the committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your committee on Appropriations to whom was referred House file No. 341, a bill for an act to appropriate the sum of $400 for the relief of Geo. Hunt late ordnance sergeant in the Adjutant General's department of the State of Iowa on account of balance of salary due under joint resolution No. 9, of the acts of the Twenty-sixth General Assembly and directing the manner of the payment of such appropriation, beg leave to report that 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.

WARREN GARST,
Chairman.

Senator Garst moved the adoption of the report.

Senator Crossley moved to amend the report by striking out the words "be indefinitely postponed" and insert in lieu thereof the words, "do pass".

Adopted.

On the question, Shall the report of the committee as amended be adopted?

The report was adopted

THIRD READING OF BILLS.

By unanimous consent House file No. 341, a bill for an act to appropriate the sum of four hundred forty-one dollars and seventy cents ($441.70); for the relief of Geo. F. Hunt, late ordnance sergeant in the Adjutant General's Department of the State of Iowa on account of balance of salary due under joint resolution number nine, acts of the Twenty-sixth General Assembly, and directing the manner of the payment of such appropriation, was taken up and considered.

Senator Garst moved that the rule be suspended, and that the bill be read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Crawford, Crossley, Dowell, Eckles, Ericson, Garst, Harper, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—40.

The nays were:

None.

Absent or not voting:

Brooks, Courtright, Dunham, Elerick, Gale, Gillilland, Hartshorn, Hogue, Jamison, Jones—10.

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

HOUSE MESSAGES CONSIDERED.

House adopted the conference committee report on House file 192 and passed the bill as amended, House file No. 192, a bill for an act to provide for the erection, repair and equipment of building for the Iowa State College of Agriculture and Mechanic Arts.

Read first and second time.

REPORT OF COMMITTEE.

Senator Lewis, from the committee on Conference submitted the following report:

MR. PRESIDENT—Your committee on Conference to whom was referred House file, No. 192 a bill for an act to provide for the erection, repair and and equipment of the buildings for the Iowa tate College of Agriculture and Mechanic Arts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recomendation that the following amendment be adopted.

L. W. LEWIS,
Chairman.

Adopted.

CONFERENCE COMMITTEE AMENDMENT TO HOUSE FILE NO. 192.

Amend by substituting the following for section two (2).

Section 2. The funds to be realized from the tax levies herein provided for, shall not be anticipated by issuing and discounting warrants or other obligations of the state, and no part of the same shall be expended without first submitting to the General Assembly for its approval, estimates of cost, plans and specifications as provided by section twenty-seven hundred twenty-seven-a fifty-six (2727-a 56) of the supplement to the code, provided that for any deviation from the plans and specifications, or any emergency building, which deviation from the plans or building shall not cost more than twenty-five thousand dollars, ($25,000) arising between the sessions of the General Assembly involving increased cost of any building authorized as hereinbefore provided, the board in charge shall first secure the approval thereof by a majority vote of the Executive Council. Such sums shall be drawn from the state treasury as provided in sections one hundred nine (109) and one hundred ten (110) of the code.

Also add as section three (3).

Section 3. This act hereby authorizes the erection of a building to be known as the Hall of Agriculture at the Iowa College of Agriculture and Mechanic Arts, at a cost, including heating, lighting and plumbing of not to exceed two hundred and fifty thousand dollars ($250,000), provided, that the plans, specifications and estimate of cost of the same be first submitted to and approved by a majority of the Executive Council. Nothing herein contained shall be held to exclude the said college from employing an architect other than the State Architect.

L. W. LEWIS,
THOS. LAMBERT,
W. P. WHIPPLE,
B. W. NEWBERRY,
On part of the Senate.
M. L. TEMPLE,
N. E. KENDALL,
C. N. JEPSON,
H. H. WILLSON,
On part of the House.

Senator Lewis moved that the Senate concur in the following amendments recommended by the Conference committee:

Amend by substituting the following for section two (2).

Section 2. The funds to be realized from the tax levies herein provided for, shall not be anticipated by issuing and discounting warrants or other obligations of the state, and no part of the same shall be expended without first submitting to the General Assembly for its approval, estimates of cost, plans and specifications as provided by section twenty-seven hundred twenty-seven-a fifty-six (2727-a 56) of the supplement to the code, provided that for any deviation from the plans and specifications, or any emergency building, which deviation from the plans or building shall not cost more than twenty-five thousand dollars ($25,000) arising between the sessions of the General Assembly involving increased cost of any building authorized as hereinbefore provided, the board in charge shall first secure the approval thereof by a majority vote of the Executive Council. Such sums shall be drawn from the state treasury as provided in sections one hundred nine (109) and one hundred ten (110) of the code.

Also add as section three. (3)

Section 3. This act hereby authorized the erection of a building to be known as the Hall of Agriculture at the Iowa College of Agriculture and Mechanic Arts, at a cost, including heating, lighting and plumbing of not to exceed two hundred and fifty thousand dollars ($250,000), provided, that the plans, specifications and estimate of cost of the same be first submitted to and approved by a majority of the Executive Council. Nothing herein contained shall be held to exclude the said college from employing an architect other than the State Architect.

On the question Shall the amendments be concurred in?

The yeas were:

Bleakly, Brooks, Bruce, Crawford, Crossley, Dowell, Eckles, Elerick, Ericson, Harper, Hasselquist, Hayward, Hogue, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—41.

The nays were:

None.

Absent or not voting:

Courtright, Dunham, Gale, Garst, Gillilland, Hartshorn, Jamison, Spaulding, Warren—9.

So the amendments were concurred in.

HOUSE MESSAGES CONSIDERED.

House has adopted the Conference committee report on House file No. 176 a bill for an act to provide for the erection repair, improvement and equipment of buildings for the State Normal School.

Read first and second time.

REPORT OF COMMITTEE.

Senator Lewis, from the committee on Conference, submitted the following report:

MR. PRESIDENT—Your committee on Conference to whom was referred House file No. 176 a bill for an act to provide for the erection, repair, improvement [illegible] of buildings for the tate Normal chool, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the enate with the recommendation that the following amendment be adopted:

L. W. LEWIS,
Chairman.

CONFERENCE COMMITTEE AMENDMENT TO HOUSE FILE NO. 176.

Amend by substituting the following for section two (2).

Section 2. The fund to be realized from the tax levies herein provided for shall not be anticipated by issuing and discounting warrants or other obligations of the state, and no part of the same shall be expended without first submitting to the General Assembly for its approval, estimates of cost, plans and specifications as provided by section twenty-seven hundred twenty-seven-a fifty-six (2727-a 56) of the supplement to the code, provided that any deviation from the plans and specifications, or any emergency building, which deviation from the plans or building shall not cost more than twenty-five thousand dollars ($25,000), arising between the sessions of the General Assembly involving increased cost of any building authorized as herein before provided, the board in charge shall first secure the approval thereof by a majority vote of the Executive Council. Such sums shall be drawn from the state treasury as provided in sections one hundred nine (109) and one hundred ten (110) of the code. Nothing herein contained shall be held to exclude the said Normal School from employing an architect other than the State Architect.

L. W. LEWIS,
THOS. LAMBERT,
W. P. WHIPPLE,
B. W. NEWBERRY,
On part of the Senate.
M. L. TEMPLE,
N. E. KENDALL,
C. N. JEPSON,
H. H. WILLSON.
On part of the House.

Senator Lewis moved that the report of the Conference committee be adopted.

Carried.

Senator Lewis moved that the Senate concur in the following amendments recommended by the Conference committee.

Amend by substituting the following for section two (2:)

Section 2. The funds to be realized from the tax levies herein provided for shall not be anticipated by issuing and discounting warrants or other obligations of the state, and no part of the same shall be expended without first submitting to the General Assembly for its approval, estimates of cost, plans and specifications as provided by section twenty-seven hundred and twenty-seven-a fifty-six (2727-a-56) of the supplement to the code, provided that for any deviation from the plans and specifications, or any emergency buildings, which deviations from the plans or building shall not cost more than twenty-five thousand dollars ($25,000), arising between the session of the General Assembly involving increased cost of any building authorized as hereinbefore provided, the board in charge shall first secure the approval thereof by a majority vote of the Executive Council. Such sums shall be drawn from the state treasury as provided in sections one hundred nine (109) and one hundred ten (110) of the code. Nothing herein contained shall be held to exclude the said Normal School from employing an architect other than the State Architect.

On the question, Shall the amendments be concurred in?

The yeas were:

Bleakly, Brooks, Bruce, Crawford, Crossley, Dowell, Eckles, Elerick, Ericson, Harper, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stookey, Stuckslager, Taylor, Turner, Wade, Warren, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Washington —40.

The nays were:

None.

Absent or not voting:

Courtright, Dunham, Gale, Garst, Gillilland, Hartshorn, Hogue, Jamison, Stirton, Young of Calhoun—10.

So the amendments were concurred in.

HOUSE MESSAGES CONSIDERED.

House has adopted the report of the Conference committee on House file No. 207, a bill for an act providing for a levy of a special tax of one-fifth of a mill on the dollar, upon the assessed valuation of the taxable property of the state for the erection, repair and improvement of buildings for the University of Iowa.

Read first and second time.

REPORT OF COMMITTEE.

Senator Lewis from the committee on Conference, submitted the following report:

MR. PRESIDENT—Your committee on Conference to whom was referred House file No. 207, a bill for an act providing for a levy of a special tax of one-fifth of a mill on the dollar upon the assessed valuation of the taxable property of the state for the erection, repair and improvement of buildings for the State University of Iowa beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the following amendment be adopted.

L. W. LEWIS,
Chairman.

Adopted.

CONFERENCE COMMITTEE AMENDMENT TO HOUSE FILE NO. 207

Amend by substituting the following for section two (2):

Section 2. No part of the same shall be expended without first submitting to the General Assembly, for its approval estimates of cost, plans and specifications as provided by section twenty-seven hundred twenty-seven-a-fifty-six (2727-a-56) of the supplement to the code, provided that for any deviation from the plans and specifications, or any emergency building, which deviation from the plans or building shall not cost more than twenty-five thousand dollars ($25,000), arising between the sessions of the General Assembly involving increased cost of any building authorized as herein before provided, the board in charge shall first secure the approval thereof by a majority vote of the Executive Council. Such sums shall be drawn from the state treasury as provided in sections one hundred nine (109) and one hundred ten (110) of the code.

Nothing herein contained shall be held to exclude the said University from employing an architect other than the State Architect.

L. W. LEWIS,
THOS. LAMLENT,
W. P. WHIPPLE,
B. W. NEWBERY,
On part of the Senate.
M. L. TEMPLE,
N. E. KENDALL,
C. N. JEPSON,
H. H. WILLSON.
On part of the House.

Senator Lewis moved that the Senate concur in the following amendments recommended by the conference committee.

Amend by substituting the following for section two (2)

Section 2 No part of the same shall be expended without first submitting to the General Assembly, for its approval, estimation of cost, plans and specifications as provided by section twenty-seven hundred twenty seven-a fifty-six (2727-a 56) of the supplement to the code, provided that for any deviation from the plans and specifications, or any emergency building, which deviation from the plans or building shall not cost more than twenty-five thousand dollars ($25,000), arising between sessions of the General Assembly involving increased cost of any building authorized as hereinbefore provided, the board in charge shall first secure the approval thereof by a majority vote of the executive council. Such sums shall be drawn from the state treasury as provided in sections one hundred nine (109) and one hundred ten (110) of the code. Nothing herein contained shall be held to exclude the said University from employing an architect other than the State Architect.

On the question, Shall the amendments be concurred in?

The yeas were:

Bleakly, Brooks, Bruce, Crawford, Crossley, Dowell, Eckles, Elerick, Ericson, Garst, Harper, Hasselquist, Hayward, Hopkins, Hughes, Jackson, Jones, Kimmel, Kinne, Lambert, Lewis, Lyons, Newberry, Saunders, Smith of Des Moines, Smith of Mitchell, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Turner, Wade, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington —40.

The nays were:

None.

Absent or not voting:

Courtright, Dunham, Gale, Gillilland, Hartshorn, Hogue, Jamison, Maytag, Molsberry, Warren—10.

So the amendments were concurred in.

Senator Young of Calhoun offered the following resolution and moved its adoption.

Resolved, That the sergeant-at-arms, doorkeeper and assistant doorkeepers and messengers be permitted to keep their badges as souvenirs of their winters work.

Adopted.

President Herriott resumed the chair at 11:46 A. M.

The President announced that he had appointed upon the part of the Senate as the committee to examine the subject of insurance of the companies doing business in Iowa, Senators Jamison and Dunham.

The President announced the Senate would take a recess until called to order by the Chair.

The President called the Senate to order.

Senator Lewis moved that a committee of three be appointed to notify the Governor that the Senate was ready to adjourn sine die.

Carried.

The President appointed as such committee: Senators Lewis, Smith of Mitchell and Crossley.

The committee appointed to wait upon the Governor announced that they had performed that duty, and that the Governor had no further communication to present, and felicitated the Senators upon the completion of their labors and wished them a happy and safe return to their homes.

REPORT OF COMMITTEE.

MR. PRESIDENT—Your Conference committee, to whom was referred House file No. 364, beg leave to report that they have had the same under consideration, and have agreed that the Senate shall recede from its amendment made by enacting a substitute therefor, and that the original bill, House file 364, shall be amended as follows:

Strike out all of section one (1) after the word "thereof" in the second line, and insert in lieu thereof the following:

At the general election in the year 1906, and every four years thereafter, there shall be elected two railroad commissioners, whose term of office shall be for a period of four years; and at the general election in the year, 1908, and every four years thereafter, there shall be elected one railroad commissioner, whose term of office shall be for a period of four years; and the present incumbents of the office of railroad commissioner shall continue in office until their successors are elected and qualified, as in this act provided.

And when so amended that the bill do pass.

O. B. COURTRIGHT,
JAS. H. JAMISON,
SHIRLEY GILLILLAND,
GEO. W. DUNHAM,
On part of the Senate.
R. M. WRIGHT
B. F. CUMMINGS,
C. F. CROSE,
G. W. KOONTZ,
On part of the House.

Adopted.

Senator Courtright moved that the Senate recede from its amendment made by enacting a substitute therefor.

Carried.

Senator Courtright moved that the following amendments recommended by the Conference committee be adopted:

Strike out all of section one (1) after the word "thereof" in the second line, and insert in lieu thereof the following:

At the general election in the year 1906, and every four years thereafter, there shall be elected two railroad commissioners whose term of office shall be for a period of four years; and at the general election in the year 1908, and every four years thereafter, there shall be elected one railroad commissioner, whose term of office shall be for a period of four years; and the present incumbents of the office of railroad commissioner shall continue in office until their successors are elected and qualified, as in this act provided.

Adopted.

Senator Courtright moved that the rule be suspended and that the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Courtright, Crawford, Crossley, Dowell, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hasselquist, Hopkins, Hughes, Jackson, Kinne, Lambert, Lewis, Lyons, Maytag, Newberry, Saunders, Spaulding, Stirton, Stookey, Stuckslager, Taylor, Wade, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—36.

The nays were:

None.

Absent or not voting:

Brooks, Bruce, Dunham, Hartshorn, Hayward, Hogue, Jamison, Jones, Kimmel, Molsberry, Smith of DesMoines, Smith of Mitchell, Turner, Warren—14.

So the bill having received a constitutional majority was declared to have passed the Senate and its title 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 concurred in Senate amendments to House file 359 in which the concurrence of the House was asked:

A bill for an act to amend section one thousand sixty (1060) of the code and to repeal section one thousand seventy-four (1074) of the code, and to enact a substitute therefor, relating to the election and terms of office of township trustees.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House recedes from House amendments to Senate file No. 308, a bill for an act to amend sections one (1) and nine (9) of chapter eighty-seven (87) of the acts of the Thirtieth General Assembly, in relation to the inspection of petroleum and its products.

C. R. BENEDICT,
Chief Clerk.

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House recedes from its amendments to Senate file 307, in which the concurrence of the Senate was asked:

A bill for an act to amend section twenty-four hundred sixty-nine (2469) and to amend the law as it appears in section twenty-four hundred seventy (2470) of the supplement to the code, relating to the Bureau of Labor Statistics.

C. R. BENEDICT,
Chief Clerk.

REPORT OF COMMITTEE

Senator Courtright, from the committee on Conference, submitted the following report:

MR. PRESIDENT—Your Conference committee to whom was referred Senate file No. 342, a bill for an act to repeal section four hundred eleven (411) of the code and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report that they have agreed to amend the House amendment as follows:

Insert after the word "having" and before the word "seven" in the fourth line from the bottom the words "five or".

And when so amended that the Senate concur in the House amendment.

Adopted.

O. B. COURTRIGHT,
For Conference Committee

THIRD READING OF BILLS

House substitute as amended for Senate file No. 342, a bill for an act to repeal section for hundred eleven (411) of the code and to enact a substitute therefor, with report of Conference committee recommending amendments, was taken up and considered.

Senator Courtright moved the adoption of the following amendments recommended by the Conference committee.

Insert after the word "having" and before the word "seven" in the fourth line from the bottom the words "five or."

Adopted.

Senator Courtright moved that the rule be suspended, and that the bill be considered engrossed, and read a third time now which motion prevailed, and the bill was read a third time.

On the question, Shall the bill pass?

The yeas were:

Bleakly, Bruce, Courtright, Crawford, Crossley, Dowell, Eckles, Elerick, Ericson, Gale, Garst, Gillilland, Harper, Hasselquist Hopkins, Hughes, Jackson, Jamison, Kinne, Lambert, Lewis, Lyons, Maytag, Molsberry, Newberry, Saunders, Spaulding, Stirton, Stookey, Stuckslager, Turner, Wade, Whipple, Wilson of Fayette, Wilson of Clinton, Winne, Young of Lee, Young of Calhoun, Young of Washington—39.

The nays were:

None.

Absent or not voting:

Brooks, Dunham, Hartshorn, Hayward, Hogue, Jones, Kimmel, Taylor, Smith of Des Moines, Smith of Mitchell, Warren—11.

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

HOUSE MESSAGES CONSIDERED.

House concurred in Senate amendments to House file No. 359, a bill for an act to amend section one thousand sixty (1060) of the code, and to repeal section one thousand seventy-four (1074) of the code, and to enact a substitute therefor, relating to the election and terms of office of township trustees.

Ordered passed on file.

House recedes from House amendments to Senate file No. 308, a bill for an act to amend sections one (1) and nine (9) of chapter eighty-seven (87) of the acts of the Thirtieth General Assembly, in relation to the inspection of petroleum and its products.

Ordered passed on file.

House recedes from its amendments to Senate file 307, in which the concurrence of the Senate was asked, a bill for an act to amend section twenty-four hundred sixty-nine (2469) and to amend the law as it appears in section twenty-four hundred seventy (2470) of the supplement to the code, relating to the Bureau of Labor Statistics.

Ordered passed on file.

President Herriott addressed the Senate as follows:

Senators.—The hour for adjournment is near at hand, and I ask for your indulgence for a few moments.

It would be unkind and unjust for me to declare the Senate adjourned without acknowledging my obligations to all the members of the Senate, to the Senator from Mitchell, your President pro tem, to the Secretary and his faithful and competent assistants, to the Sergeant at Arms and his corps of courteous door keepers, to the clerks of committees, to our pages, and all other employees of the Senate, for the courtesy, kindness and friendship, all have constantly shown me during the session. I shall not again preside over the deliberations of this chamber, and I would like to make you realize how I value what you have accorded me in such large measure. But I cannot do it fully, and I shall not try. I can however, and I will indicate why I esteem your kindness highly.

The best friendships of life are not those which thrive in parlors and reception rooms, but those that begin and develop in life's round of daily duties. When we work with men in the criss-cross of individual and common interests then, and then only we know them and the true measure of their characters. The friendship and respect that grows in the give and take of the day's work are the best rewards that mortal men can covet.

For five years I have had the honor to preside over the Senate of Iowa. In the constant, intimate relations that I have sustained with you officially and personally in the last three sessions, I have found you to be men whose characters and conduct make one think more of his fellows. I came to you with no experience in parliamentary bodies. I was oppressed by my anxiety lest my short-comings should embarrass your work. Mistakes, no doubt I have made many times. But one thing I can plead in mitigation. They were errors of judgment and not of the heart. Without qualification I can affirm that regard for the rules and fairness to all concerned were the prime considerations controlling my rulings. Your uniform acquiescence under my decisions make me feel that while you perhaps did not always concur in the judgment rendered, you did not doubt my righteous purpose. You and your predecessors have been men of strong feelings and of vigorous opinions, and now and then partizan feeling has surged high in debate. But no matter how sharp the clash of discussion and the keeness of disappointment over adverse rulings, never once have any of you let flash back upon the chair bitter reflections that strong men feel in the stress of debate. Such courtesy and respect, as you have always accorded me, is perfect

proof that cultured and highminded gentlemen make up the Senate of Iowa. Hence, you may understand why I value so highly your esteem and good will.

Before I let the gavel fall that will sound the final adjournment of the Senate of the Thirty-first General Assembly, I wish briefly to review the work of the session, and at the same time perform a duty that it seems falls properly upon me to fulfill.

The work of lawmakers is a compound of negative and positive duties. Both are equally important. The legislator must oppose measures he believes to be ill advised or wrong with no less vigor than he advocates reforms deemed necessary and proper. Legislation therefore must be largely compromises between conflicting interests and opinions. The clash of debate here is but an echo of the collision of personal and partizen interests and views in the public at large. To the ardent reformer adverse discussion seems perverse, irksome and wasteful of time. Often the delays in the progress of good meaures are resented with bitter and reckless comments. But, unwillingness to go ahead pell-mell in the furtherance of reforms is not warrant for charges of perversion or wrong motives. Vigorous opposition is essential to sound and wise legislations. It is a sign of health in the citizen body.

In the past session many bills proposing important reforms have been considered by you. Some, although earnestly advocated by Senators, failed to meet your approval. Some that you approved failed to run the gauntlet of the other House. But he who compares the history of public discussion and the work of assemblies for years past will be convinced that a needed reform is bound to come. The forces of nature and human need work constantly in its behalf. Defeat merely signifies one or both of two things and delay in either case is beneficial. The reform is either not satisfactorily provided for, or the people are not fully alive to its necessity. If the people do not acquiesce in pending legislation as a matter of course or overwhelmingly demand it no enactment should take place. Time will demonstrate whether the proposed reform is imperative or unwise or unnecessary. It has been this sort of caution that has given Iowa a fair fame abroad for conservative and successful legislation. It is a virtue we may well cultivate in these days when we hear complaint of too much legislation.

But, Senators, it is untrue and unfair to say that the work of this assembly has been negative entirely. The measures in which partizan and public interest chiefly centered have so absorbed the public mind that the many measures of profound importance that were discussed free from the intrusion of partizan prejudice and passed solely on their merits have not been realized. If I am not seriously in error the Thirty First General Assembly has to its credit a number of laws that will give it honorable distinction in days to come.

The majority of course relate to technical improvements in judicial procedure or to city, county and state administrations. But many of the measures passed will work momentous changes in our public policy.

Among others I mention a few:—The provision for the preservation of the State's archives; the removal of the Circle from the ballot to secure more definite voting; the prohibition of the issuance of railroad passes to public officers to insure against their misuse; and the establishment of a uniform system of municipal accounts and audit to secure economy, efficiency and publicity in the use of the peoples revenues in our cities and towns.

A number of measures of great importance relate to the improvement of social conditions and the enhancement of life to men, women, and children. The protection of our song birds and their nests against destruction; the improvement of education by uniform examinations of teachers under state supervision; the increase of the education and experience required of pharmacists; the laws for the inspection of food and milk products; the law governing child labor; the increase in the age limit for girls in our Industrial School; improvements in the collection of vital statistics; and the establishment of a hospital for the treatment of tuberculosis.

Can any one doubt that the laws just enumerated will give lustre to the work of the Thirty-first General Assembly?

To one other matter I shall refer, then I shall conclude. We have heard much of late years regarding corruption and malign influences in legislative Halls in other States. Too much, alas, that has been charged has been proven at the bar of courts. A natural but unfortunate result has been that sweeping accusations against legislative bodies have become common throughout the country. Indeed reckless charges of such evil deeds and purposes have become epidemic. Many men make wholesale statements reflecting upon legislators' integrity, often thoughtlessly, sometimes in the mere exuberance of speech, or in the heat of discussion. Others promulgate them purely for sensational purposes. While still others perplexed by the difficulties obstructing reforms they advocate, or exasperated by delays or disappointment, often declare the causes of opposition to be corrupt or nefarious influences.

Every citizen owes it to himself and to the state if there are grounds for such charges, to expose them to view. Public safety demands the utmost vigor in assailing such enemies of the Republic, and the quicker and harder they are struck down the better. But justice requires that such charges be accompanied with a bill of particulars if honorable and faithful public servants are to be kept harmless, and the guilty pilloried before the people. Charges of this character certainly should not be based on flighty proof or idle gossip.

Respect for law, respect for the framers of the law is the keystone of democratic government. If we shake or undermine popular confidence in the integrity of lawmakers we are not far from the end of republican institutions and liberty under the law. And this result must ensue if the public listen constantly to bold assertions that impugn the conduct of their representatives or squint athwart their honor.

For the most part the history of Iowa has been exempt from serious accusations of misconduct on the part of her law-makers. In a few instances serious charges were perferred, but no real exposures were ever made. This is a record the people of Iowa are justly proud of. But recently, however, they have been disturbed by sundry, promiscuous declarations that important measures introduced in this last session were blocked or grossly interfered with by influences and procedure malign in character and hostile to public virtue. With the specific assertions made I do not care here to deal but generally with relation thereto I owe it to you and to the people that elected you to the exalted office you occupy to express the knowledge that years of close contact with the General Assembly has given me.

Since the first session of the Twenty-sixth General Assembly in 1896, it has been my privilege to have had the right and the opportunity to maintain intimate official and personal relations with the people's representatives. Further, it has, I believe, been my distinction to have been the presiding officer of the Senate of Iowa longer than any of my predecessors in the entire history of the State. My chances for observation of your conduct and your character have been exceptional. I solemnly declare to you and to the people we represent that never, in my opinion, has the work of legislation in Iowa, been so free from insidious and subteranean influences adverse to public honesty, as during the session that closes today. This statement is your due. With best wishes for the health and happiness of each and all, I say farewell.

Senator Crawford moved that the remarks made by he President be ordered printed in the Journal.

Carried.

President pro tem Smith was called to the chair at 11:50 A. M.

The President resumed the chair at 11:55 A. M.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Turner from the committee on enrolled bills, submitted the following report:

Mr. President:—Your committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled Senate file 336, a bill for an act to amend section thirteen hundred twenty two (1322) of the code, relating to the taxation of national, state and savings banks and the shares of stock therein.

Also:

Senate file 337, a bill for an act amending section twenty-one hundred twenty-six (2126) of the code, relative to railway rates.

Also:

Senate file 215, a bill for an act to provide for the renewal or extension of the corporate period of state and savings banks.

Also:

Senate file 231, a bill for an act to repeal section thirteen hundred ninety-one (1391) of the code, relating to delinquent taxes and to enact a substitute therefor.

Also:

Senate file 109, a bill for an act to repeal sections twenty three hundred forty-one (2341) and twenty three hundred forty-two (2342) of the code, relative to the registration and publication of pedigrees, and to enact a substitute therefor.

Also:

Senate file 262, a bill for an act for the relief of the grantees of John S. Bussey, and for the purpose of having a patent issued in the name of Samuel Kingery, for a certain tract of land.

Also:

Senate file 353, a bill for an act to amend section seventeen hundred nine (1709) and seventeen hundred ten (1710) of the supplement to the code as amended by the acts of the Thirty-first General Assembly, relative to insurance other than life.

Also:

Senate file 283, a bill for an act to amend section thirteen hundred four (1304) of the code, so as to exempt from taxation the accumulations and funds of fraternal beneficiary associations.

Also:

Senate file 345, a bill for an act to amend section twenty seven hundred twenty nine (2729) of the code relative to terms of office of trustees of county high schools.

Also:

Senate file 170, a bill for an act to repeal section twenty-seven hundred thirteen (2713) of the supplement to the code and to increase the fund for the support of the industrial school and to fix the minimum monthly allowance for each department thereof.

Also:

Senate file 333, a bill for an act appropriating money for the inspection of county and private institutions in which insane persons are kept, and associations, societies and homes receiving friendless children.

Also:

Senate file 343, a bill for an act making appropriation for the benefit of the Benedict Home at Des Moines, the Florence Crittenden home, the Boys and Girls home, and the House of the Good Shepherd at Sioux City and the Dubuque Rescue Home and the House of Good Shepherd at Dubuque, and providing for the method of disbursement at Dubuque, and against future appropriations of this kind.

Also:

Senate file 295, a bill for an act to amend section twelve hundred ninety three (1293) of the code relative to the publication of the official ballot.

Also:

Senate file 274, a bill for an act to amend chapter five (5) of title twenty four (XXIV) of the code relating to larceny.

Also:

Senate file 349, a bill for an act to amend section eight hundred one (801) of the code relating to street improvements, sewers, and preliminary notices of sewer improvements.

Also:

Senate file 285, a bill for an act in relation to a lost, stolen or destroyed note, bond, a bill of exchange, draft, certificate of deposit or other evidence of indebtedness and prescribing how action may be brought thereon.

Also:

Senate file 350, a bill for an act to legalize the submission to the voters of the city of Creston, Iowa ,of the question whether an ordinance entitled "an ordinance authorizing the Des Moines, Winterset & Creston Electric Railway Company to construct, maintain and operate, by electric or other power other than steam, street and interurban railways in, across, over and along the streets of the city of Creston, Iowa, and defining the powers and duties of said company" should be approved and adopted and legalize the acts of the city council in submitting to the voters of said city at a city election held on the twenty sixth day of March, nineteen hundred and six (1906), the question of granting a franchise to said company.

Also:

Senate file 161, a bill for an act providing for the inside finishing and completion of the Historical, Memorial and Art Building, also for the purchase of steel book stacks, and making an appropriation therefor.

Also:

Joint resolution No. 5, joint resolution fixing the number and compensation of employes in the departments of state at the seat of government.

Also:

Senate file 352, a bill for an act repealing the law as it apears in section two hundred fifty six-A (256-A) of the supplement to the code relating to the election and terms of judges of the superior court and enacting a substitute therefor.

Also:

Senate file 320, a bill for an act to repeal section twenty two hundred ninety two (2292) of the code and to enact a substitute therefor relating to the expense of the insane and of ineberiates and the time and manner of certifying the same to the county auditor and the auditor of state and the payment of same.

Also:

Senate file 319, a bill for an act to repeal section twenty-seven hundred twenty-six (2726) of the code and to enact a substitute therefor relating to the expense of inmates of the School for the Deaf, and the time and manner of certifying the same to the county auditor and the auditor of state, and the payment of same.

Also:

Senate file 252, a bill for an act amendatory of the law as it appears in chapter eighty-eight (88) of the Thirtieth General Assembly, relating to levees, ditches, drains and water courses, and amending sections two (2), five (5), twenty-eight (28), forty-two (42), forty-four (44) and forty-eight (48) of said act.

Also:

Senate file 354, a bill for an act fixing the number of Senators in the General Assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the state in Senatorial Districts.

Also:

Senate file 192, a bill for an act authorizing the governing board of the Iowa State College of Agriculture and Mechanic Arts to contract with the city of Ames concerning the collection and disposal of sewerage and the construction of sewers across the college grounds.

Also:

Senate file 358, a bill for an act to make appropriations for the payment of state and judicial officers, state and other expense.

Also:

Senate file 308, a bill for an act to amend sections one (1) and nine (9) of chapter eighty-seven (87) of the acts of the Thirtieth General Assembly, in relation to the inspectors of petroleum and its products.

Also:

Senate file 307, a bill for an act to amend section twenty-four hundred sixty-nine (2469) and to amend the law as it appears in section twenty-four hundred seventy (2470) of the supplement to the code, relating to the Bureau of Labor Statistics.

Also:

Senate file 342, a bill for an act to amend section four hundred ten (410), and to repeal section four hundred eleven (411) of the code, and to enact a substitute therefor, relating to the election and terms of office of county supervisors.

D. W. TURNER,
Chairman.

Ordered passed on file.

REPORT OF JOINT COMMITIEE ON ENROLLED BILLS.

Senator Turner from the joint committee on Enrolled Bills, submitted the following report:

Mr. President—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, Senate file 336, a bill for an act to amend section thirteen hundred twenty-two (1322) of the code, relating to the taxation of national, state and savings banks and the shares of stock therein.

Also:

Senate file 337, a bill for an act amending section twenty-one hundred twenty-six (2126) of the code, relative to railway rates.

Also:

Senate file 215, a bill for an act to provide for the renewal or extension of the corporate period of state and savings banks.

Also:

Senate file 231, a bill for an act to repeal section thirteen hundred ninety-one (1391) of the code, relating to delinquent taxes and to enact a substitute therefor.

Also:

Senate file 109, a bill for an act to repeal sections twenty-three hundred forty-one (2341) and twenty-three hundred forty-two (2342) of the code, relative to the registration and publication of pedigrees, and to enact a substitute therefor.

Also:

Senate file 282, a bill for an act for the relief of the grantees of John S. Bussey, and for the purpose of having a patent issued in the name of Samuel Kingery, for a certain tract of land.

Also:

Senate file 353, a bill for an act to amend section seventeen hundred nine (1709) and seventeen hunhdred ten (1710) of the supplement to the code as amended by the acts of the Thirty-first General Assembly, relative to insurance other than life.

Also:

Senate file 283, a bill for an act to amend section thirteen hundred four (1304) of the code, so as to exempt from taxation the accumulations and funds of fraternal beneficiary associations.

Also:

Senate file 345, a bill for an act to amend section twenty-seven hundred twenty-nine (2729) of the code relative to terms of office of trustees of county high schools.

Also:

Senate file 170, a bill for an act to repeal section twenty-seven thirteen (2713) of the supplement to the code and to increase the fund for the support of the Industrial School and to fix the minimum monthly allowance for each department thereof.

Also:

Senate file 333, a bill for an act appropriating money for the inspection of county and private institutions in which insane persons are kept, and associations, societies and homes receiving friendless children.

Also:

Senate file 348, a bill for an act making appropriation for the benefit of the Benedict Home at Des Moines, the Florence Crittenden Home, the Boys and Girls home, and the House of the Good Sheperd at Sioux City and the Dubuque Rescue Home and the House of the Good Shepherd at Dubuque, and providing for the method of disbursement at Dubuque, and against future appropriations of this kind.

Also:

Senate file 295, a bill for an act to amend section twelve hundred ninety-three (1293) of the code relative to the publication of the official ballot.

Also:

Senate file 274, a bill for an act to amend chapter five (5) of title twenty-four (XXIV) of the code relating to larceny.

Also:

Senate file 349, a bill for an act to amend section eight hundred one (801) of the code relating to street improvements, sewers, and preliminary notices of sewer improvements.

Also:

Senate file 285, a bill for an act in relation to a lost, stolen or destroyed note, bond, bill of exchange, draft, certificate of deposit or other evidence of indebtedness and prescribing how action may be brought thereon.

Also:

Senate file 350, a bill for an act to legalize the submission to the voters of the city of Creston, Iowa, of the question whether an ordinance entitled "an ordinance authorizing the Des Moines, Winterset & Creston Electric Railway Company to construct, maintain and operate, by electric or other power than steam, street and interurban railways in, across, over and along the streets of the city of Creston, Iowa, and defining the powers and duties of said company" should be approved and adopted and legalize the acts of the city council in submitting to the voters of said city at a city election held on the twenty-sixth (26) day of March, nineteen hundred and six (1906), the question of granting a franchise to said company.

Also:

Senate file 161, a bill for an act providing for the inside finishing and completion of the Historical, Memorial and Art building, also for the purchase of steel book stacks, and making an appropriation therefor.

Also:

Joint resolution No. 5, joint resolution fixing the number and compensation of employes in the departments of state at the seat of government.

Also:

Senate file 352, a bill for an act repealing the law as it appears in section two hundred fifty-six-a (256-a) of the supplement to the code relating to the election and terms of judges of the superior court and enacting a substitute therefor.

Also:

Senate file 320, a bill for an act to repeal section twenty-two hundred ninety-two (2292) of the code and to enact a substitute therefor relating to the expense of the insane and of inebriates and the time and manner certifying to the county auditor and the auditor of state and the payment of same.

Also:

Senate file 319, a bill for an act to repeal section twenty-seven hundred twenty-six (2726) of the code and to enact a substitute therefor relating to the expense of inmates of the School for the Deaf, and the time and manner of certifying the same to the county auditor and the auditor of state, and the payment of same.

Also:

Senate file 252, a bill for an act amendatory of the law as it appears in chapter sixty-eight (68) of the Thirtieth General Assembly, relating to levees, ditches, drains and water courses, and amending sections two (2), five (5), twenty-eight (28), forty-two (42), forty-four (44) and forty-eight (48) of said act.

Also:

Senate file 354, a bill for an act fixing the number of Senators in the General Assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the state in Senatorial Districts.

Also:

Senate file 192, a bill for an act authorizing the governing board of the Iowa State College of Agriculture and Mechanic Arts to contract with the city of Ames concerning the collection and disposal of sewerage and the construction of sewers across the college grounds.

Also:

Senate file 358, a bill for an act to make appropriations for the payment of state and judicial officers, state and other expenses.

Also:

Senate file 303, a bill for an act to amend sections one (1) and nine (9) of chapter eighty-seven (87) of the acts of the Thirtieth General Assembly, in relation to the inspectors of petroleum and its products.

Also:

Senate file 307, a bill for an act to amend section twenty-four hundred sixty-nine (2469) and to amend the law as it appears in section twenty-four hundred seventy (2470) of the supplement to the code, relating to the Bureau of Labor Statistics.

Also:

Senate file 342, a bill for an act to amend section four hundred ten (410) and to repeal section four hundred eleven (411) of the code, and to enact a substitute therefor, relating to the election and terms of office of county supervisors.

D. W. TURNER,
Chairman Senate Committee.
H. L. SPAULDING,
Chairman House Committee,

Ordered passed on file.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Turner from the joint committee on enrolled bills, submitted the following report:

Mr. President—Your joint committee on Enrolled Bills respectfully report that they have examined, and find correctly enrolled, House file No. 53, a bill for an act to amend section three hundred eight (308) of supplement to the code relating to the compensation of county attorneys.

Also:

House file No. 75, a bill for an act providing for the prevention of tuberculosis and for the establishment, location, erection and operation of a state sanitarium for the treatment of persons having incipient pulmonary tuberculosis and making appropriations therefor, and repealing acts in conflict herewith.

Also:

House file No. 103, a bill for an act to amend section sixteen hundred twelve (1612) of the code, and providing for service of notice or process on certain corporations by adding to said section the following:

Also:

House file No. 288, a bill for an act to reimburse Frank Bristow for injuries sustained while in the employ of the state.

Also:

House file No. 325, a bill for an act to amend section forty-eight hundred twenty-two (4822) of the code, relating to malicious injury to buildings and fixtures.

Also:

House file No. 366, a bill for an act relative to the transfer of funds raised by townships for the purpose of building public halls, additional to chapter ten (10) title four (4) of the code.

Also:

House file No. 381, a bill for an act providing for the creation of a hospital board in cities having a population over twelve thousand five hundred, and providing for the construction and maintaining of a hospital therein, and authorizing the creation of an indebtedness therefor and the levy of a tax upon the property in such cities for the payment of said indebtedness, and providing certain conditions under which an indebtedness for this purpose may in cities of the second class exceed one and one-fourth per centum of the actual valuation of property in such cities.

Also:

House file No. 400, a bill for an act making appropriations for the Iowa State College of Agriculture and Mechanic Arts, the State University, and the State Normal School.

Also:

House file No. 407, a bill for an act to legalize the elections of the mayors, members of the city council and other city officials of the city of Iowa Falls, Hardin county, Iowa, and all the acts thereof during the ten (10) years last past.

Also:

House file No. 209, a bill for an act to encourage the planting of forest and fruit trees in the state of Iowa.

Also:

House file No. 360, a bill for an act to provide for the establishment of a course of practical and scientific instruction and investigation in the art of clay working and ceramics including the manufacture and use of cements and allied industries in the Iowa State College of Agriculture and Mechanic Arts.

Also:

House file No. 403, a bill for an act making appropriations for the construction, repair, improvement and contingent funds for the state hospitals, penitentiaries, industrial schools, institution for the feeble minded, college for the blind, school for the deaf, Iowa Soldiers' Home, and Iowa Soldiers' Orphans' Home.

Also:

House file No. 416, a bill for an act to legalize the acts done and the ordinances and resolutions passed by the town council of Manson, Calhoun county, Iowa.

Also:

House file No. 425, a bill for an act to legalize the official acts of certain persons acting as notaries public.

Also:

House file No. 51, a bill for an act to amend the law which appears as chapter sixty-four (64) acts of the Thirtieth General Assembly, relating to bank examiners and fees.

Also:

House file No. 225, a bill for an act to amend section twenty-six hundred four (2604) of the supplement to the code in relation to salary of commandant of the Iowa Soldiers' Home.

Also:

House file No. 283, a bill for an act granting additional powers to cities of the first class in levying taxes and providing means for the making, reconstruction, or repair of main sewers, defining main sewers, and making certain parts of the code applicable thereto.

Also:

House file No. 357, a bill for an act to apportion the state into Representative Districts and declare the ratio of representation.

Also:

House file No. 390, a bill for an act to repeal section twenty-eight hundred twelve-b (2812-b) of the supplement of the code, relating to school district bonds, and to enact a substitute therefor.

Also:

House file No. 391, a bill for an act to repeal section twenty-seven hundred sixty-three (2763) of the code, relating to notice of special meetings, and to enact a substitute therefor.

Also:

House file No. 412, a bill for an act to protect the public health and the health of domestic animals by providing for the inspection of registered cattle brought into the state for breeding or dairy purposes.

Also:

House file No. 421, a bill for an act to grant legislative assent to the more complete endowment and maintenance of the Agricultural Experiment Station of the Iowa State College of Agriculture and Mechanic Arts.

Also:

House file No. 430, a bill for an act to legalize the submission to the electors of Webster City of the question of granting a franchise for a gas plant.

Also:

House file No. 244, a bill for an act to amend sections twenty-three hundred fifty-nine (2359), five hundred fifty-five (555), twenty-seven hundred fifty-five (2755), twenty-eight hundred twenty-eight (2828), twenty-eight hundred forty-one (2841), eighteen hundred sixty-four (1864), twenty hundred ninety-three (2093), two hundred thirty-two (232), thirty-three hundred seven (3307), thirty-four hundred three (3403), four thousand twenty-four (4024), three hundred ninety-nine (399), four hundred (400), four hundred forty-six (446), nineteen hundred forty (1940), nineteen hundred forty-four (1944), nineteen hundred eighty-one (1981), twenty-three hundred seventy-two (2372), twenty-three hundred seventy-four (2374), six hundred (600), six hundred eight (608), six hundred eleven (611), six hundred fifteen (615), six hundred thirty-three (633), nine hundred twenty-six (926), two thousand three (2003), fifty-six hundred twenty-six (5626), of the code, to amend the law as it appears in section six hundred two (602) of the supplement to the code and to amend section three (3) of chapter one hundred fourteen (114), section eight (8) of chapter sixty-eight (68), and section three (3) of chapter forty-three (43), acts of the Thirtieth General Assembly; relating to legal publications.

Also:

House file No. 297, a bill for an act authorizing the Executive Council of the state of Iowa to grant a right of way for an interurban or other railway over and across the lands and campus of the Iowa State College of Agriculture and Mechanic Arts in Story county in the state of Iowa, and to fix terms and conditions therefor.

Also:

House file No. 330, a bill for an act to repeal sections one thousand fifty-seven (1057), one thousand sixty-four (1064), one thousand sixty-five (1065), one thousand sixty-six (1066), one thousand seventy (1070), one thousand seventy-one (1071), and to enact substitutes therefor, relating to the election of officers and the terms of office.

Also:

House file No. 334, a bill for an act to repeal section one thousand seventy-two (1072) of the code and to enact a substitute therefor, relating to the term of office of county officers.

Also:

House file No. 344, a bill for an act to reimburse Charles Youde and G. R. Whitmer for expenses incurred in the election contest from the Eightieth Representative District of Iowa.

Also:

House file No. 362, a bill for an act to amend the law as it appears in section eleven hundred six (1106) of the supplement to the code relating to the form of ballots to be used at elections.

Also:

House file No. 368, a bill for an act to repeal the law as it appears in section three thousand sixteen (3016), of the supplement to the code relating to bushel by weight, and to enact a substitute therefor.

Also:

House file No. 424, a bill for an act to legalize the submission to the voters of the town of Macksburg, Iowa, of the question whether an ordinance entitled "An ordinance authorizing the Des Moines, Winterset and Creston Electric Railway Company to construct, maintain and operate, by electric or other power than steam, street and interurban railways in, across, over and along the streets of the town of Macksburg, Iowa, and defining the powers and duties of said company" should be approved and adopted.

Also:

House file No. 428, a bill for an act to legalize the submission to the electors of the city of Albia of the question of establishing a free public library in said city.

Also:

House file No. 429, a bill for an act to legalize the submission to the electors of Marshalltown of the question of granting a franchise to Petersen Heat, Light and Water Company for the construction and operation of a heating plant in said city.

Also:

House file No. 432, a bill for an act to legalize an administrator's deed to certain real estate situated in Allamakee county, Iowa.

Also:

House file No. 433, a bill for an act to provide for the general levy for state purposes for the year nineteen hundred and six (1906).

Also:

House file No. 176, a bill for an act to provide for the erection, repair, improvement and equipment of buildings for the State Normal School.

Also:

House file No. 192, a bill for an act to provide for the erection, repair and equipment of buildings for the Iowa State College of Agriculture and Mechanic Arts.

Also:

House file No. 341, a bill for an act to appropriate the sum of four hundred forty-one dollars and seventy cents ($441.70), for the relief of George F. Hunt, late ordnance sergeant in the adjutant general's department of the state of Iowa on account of balance of salary due under joint resolution number nine, acts of the Twenty-sixth General Assembly, and directing the manner of the payment of such appropriation.

Also:

House file No. 207, a bill for an act providing for a levy of a special tax of one-fifth of a mill on the dollar upon the assessed valuation of the taxable property of the state for the erection, repair and improvement of buildings for the State University of Iowa.

Also:

House file No. 359, a bill for an act to amend section ten hundred sixty (1060) of the code; and to repeal section ten hundred seventy-four (1074) of the code and to enact a substitute therefor, relating to the election and terms of office of township trustees.

Also:

House file No. 364, a bill for an act to repeal section one thousand sixty-eight (1068) of the code relative to railroad commissioners, and to enact a substitute therefor.

D. W. TURNER,
Chairman Senate Committee.
H. L. SPAULDING,
Chairman House Committee.

Ordered passed on file.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. President—Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate file 336, a bill for an act to amend section thirteen hundred twenty-two (1322) of the code, relating to the taxation of national, state and savings banks and the shares of stock therein.

Also:

Senate file 337, a bill for an act amending section twenty-one hundred twenty-six (2126) of the code, relative to railway rates.

Also:

Senate file 215, a bill for an act to provide for the renewal or extension of the corporate period of state and savings banks.

Also:

Senate file 231, a bill for an act to repeal section thirteen hundred ninety-one (1391) of the code, relating to delinquent taxes and to enact a substitute therefor.

Also:

Senate file 109, a bill for an act to repeal sections twenty-three hundred forty-one (2341) and twenty-three hundred forty-two (2342) of the code, relative to the registration and publication of pedigrees, and to enact a substitute therefor.

Also:

Senate file 282, a bill for an act for the relief of the grantees of John S. Bussey, and for the purpose of having a patent issued in the name of Samuel Kingery, for a certain tract of land.

Also:

Senate file 353, a bill for an act to amend section seventeen hundred nine (1709) and seventeen hundred ten (1710) of the supplement to the code as amended by the acts of the Thirty-first General Assembly, relative to insurance other than life.

Also:

Senate file 283, a bill for an act to amend section thirteen hundred four (1304) of the code, so as to exempt from taxation the accumulations and funds of fraternal beneficiary associations.

Also:

Senate file 345, a bill for an act to amend section twenty-seven hundred twenty-nine (2729) of the code relative to terms of office of trustees of county high schools.

Also:

Senate file 170, a bill for an act to repeal section twenty-seven hundred thirteen (2713) of the supplement to the code and to increase the fund for the support of the industrial school and to fix the minimum monthly allowance for each department thereof.

Also:

Senate file 333, a bill for an act appropriating money for the inspection of county and private institutions in which insane persons are kept, and associations, societies and homes receiving friendless children.

Also:

Senate file 346, a bill for an act making appropriation for the benefit of the Benedict Home at Des Moines, the Florence Crittenden Home, the Boys and Girls home, and the House of the Good Shepherd at Sioux City and the Dubuque Rescue Home and the House of the Good Shepherd at Dubuque, and providing for the method of disbursement at Dubuque, and against future appropriations of this kind.

Also:

Senate file 295, a bill for an act to amend section twelve hundred ninety-three (1293) of the code relative to the publication of the official ballot.

Also:

Senate file 274, a bill for an act to amend chapter five (5) of title twenty-four (XXIV) of the code relating to larceny.

Also:

Senate file 349, a bill for an act to amend section eight hundred one (801) of the code relating to street improvements, sewers, and preliminary notices of sewer improvements.

Also:

Senate file 255, a bill for an act in relation to a lost, stolen or destroyed note, bond, bill of exchange, draft, certificate of deposit or other evidence of indebtedness and prescribing how action may be brought thereon.

Also:

Senate file 350, a bill for an act to legailze the submission to the voters of the city of Creston, Iowa, of the question whether an ordinance entitled "an ordinance authorizing the Des Moines, Winterset & Creston Electric Railway Company to construct, maintain and operate, by electric or other power than steam, street and interurban railways in, across, over and along the streets of the city of Creston, Iowa, and defining the powers and duties of said company" should be approved and adopted and legalize the acts of the city council in submitting to the voters of said city at a city election held on the twenty-sixth (26) day of March, nineteen hundred and six (1906), the question of granting a franchise to said company.

Also:

Senate file 161, a bill for an act providing for the inside finishing and completion of the Historical, Memorial and Art Building, also for the purchase of steel fork stacks, and making an appropriation therefor.

Also:

Joint resolution No. 5, a joint resolution fixing the number and compensation of employes in the department of state at the cost of government.

Also:

Senate file 352, a bill for an act repealing the law as it appears in section two hundred fifty-six-a (256-a) of the supplement to the code relating to the election and terms of judges of the superior court and enacting a substitute therefor.

Senate file 320, a bill for an act to repeal section twenty-two hundred ninety-two (2292) of the code and to enact a substitute therefor relating to the expense of the insane and of inebriates and the time and manner of certyfying the same to the county auditor and the auditor of state and the payment of same.

Also:

Senate file 319, a bill for an act to repeal section twenty-seven hundred twenty-six (2726) of the code and to enact a substitute therefor relating to the expense of inmates of the school for the deaf, and the time and manner of certifying the same to the county auditor and the auditor of state, and the payment of same.

Also:

Senate file 252, a bill for an act amendatory of the law as it appears in chapter (62) of the Thirtieth General Assembly, relating to levees, ditches, drains and water courses, and amending sections two (2), five (5), twenty-eight (28), forty-two (42), forty-four (44), and forty-eight (48) of said act.

Also:

Senate file 354, a bill for an act fixing the number of Senators in the General Assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the state in Senatorial Districts.

Also:

Senate file 192, a bill for an act authorizing the governing board of the Iowa State College of Agriculture and Mechanics Arts to contract with the city of Ames concerning the collection and disposal of sewerage and the construction of sewers across the college grounds.

Also:

Senate file 353, a bill for an act to make appropriation for the payment of state and judicial officers, state and other expense.

Also:

Senate file 308, a bill for an act to amend sections one (1) and nine (9) of chapter eighty-seven (87) of the acts of the Thirtieth General Assembly, in relation to the inspectors of petroleum and its products.

Also:

Senate file 307, a bill for an act to amend section twenty-four hundred sixty-nine (2469) and to amend the law as it appears in section twenty-four hundred seventy (2470) of the supplement to the code, relating to the Bureau of Labor Statistics.

Also:

Senate file 342, a bill for an act to amend section four hundred ten (410), and to repeal section four hundred eleven (411) of the code, and to enact a substitute therefor, relating to the election and terms of office of county supervisors.

D. W TURNER
Chairman.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. President: Your committee on Enrolled Bills respectfully report that they have this day sent to the Governor for his approval, Senate file No. 110. a bill for an act to amend the law as it appears in section sixteen hundred fifty-seven-d (1657-d) of the supplement to the code, relating to the agricultural convention.

Also:

Senate file 315, a bill for an act to provide that life insurance companies may transact health, accident and employers liability insurance.

Also:

Senate file 347, a bill for an act to amend the law as it appears in section two thousand twenty-six (2026) of the supplement to the code, relating to street railways over highways.

Also:

Senate file 16, a bill for an act to amend the law as it appears in section four hundred forty-one (441) of the supplement to the code in relation to official newspapers.

Also:

Senate file 329, a bill for an act to provide for the payment of certain expenses of indigent patients paroled or discharged from the state hospital for inebriates at Knoxville, and the hospital for female inebriates.

Also:

Senate file 216, a bill for an act to amend chapter eighty (80) of the acts of the Thirtieth General Assembly in regard to the admission of patients in hospitals for inebriates.

Also:

Senate file 277, a bill for an act to appropriate the sum of one hundred dollars ($100) to pay E. S. Frank for money advanced by him to the State of Iowa for rent for certain lake beds situated in Wright and Hancock counties, Iowa.

Also:

Senate file 246, a bill for an act to repeal section twenty-two hundred eighty-seven (2287) of the code and chapter seventy-nine (79) of the acts of the Thirtieth General Assembly amending said section and to enact a substitute therefor in regard to the capture and return of patients escaped from hospitals for the insane and the payment of the expenses thereof.

Also:

Senate file No. 205, a bill for an act to appropriate the sum of seventy-five dollars ($75) to pay Henry Eyler for money advanced by him to the State of Iowa as rent for certain lake beds situated in Wright county, Iowa.

Also:

Senate file 247, a bill for an act to provide for the care and removal to their place of legal settlement of non-resident insane and for the payment of the expenses thereof and repealing the law as it appears in section twenty-seven hundred twenty-seven-a twenty-eight (2727-a 28) of the supplement to the code and all acts in conflict with this act.

D. W. TURNER,
Chairman.

MESSAGE FROM THE HOUSE.

The following message was received from the House.

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted the report and amendment of the Conference committee and passed the following bill:

Senate file No. 343, a bill for an act to repeal section four hundred eleven (411) of the code and enact a substitute therefor.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

House has adopted the report and amendment of Conference committee and passed Senate file No. 343, a bill for an act to repeal section four hundred eleven (411) of the code and enact a substitute therefor.

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 concurred in Senate amendments to House file 364:

A bill for an act to repeal section one thousand sixty-eight (1068) of the code and to enact the following in lieu thereof.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

House concurred in Senate amendments to House file No. 364, a bill for an act to repeal section one thousand sixty-eight (1068) of the code and to enact the following in lieu thereof.

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from tne House:

MR. PRESIDENT—I am directed to inform your honorable body that the Speaker of the House has appointed as members of the committee to investigate the insurance conditions in Iowa, Kendall of Monroe, Jones of Montgomery, Clary of Chickasaw.

C. R. BENEDICT,
Chief Clerk.

HOUSE MESSAGES CONSIDERED.

The Speaker appointed as members of the committee to investigate the insurance conditions in Iowa, Kendall of Monroe, Jones of Montgomery, Clary of Chickasaw.

Ordered passed on file.

The President announced that he had signed in the presence of the Senate, House files Nos. 425, 416, 403, 360, 209, 407, 381, 366, 325, 288, 103, 53, 75, 400, 429, 428, 424, 368, 362, 344, 334, 283, 51, 357, 290, 391, 412, 244, 421, 430, 297, 330, 225, 359, 207, 364, 341, 192, 176, 433, 432, Senate files Nos, 331, 109, 215, 337, 308, 307, 348, 358, 342, 192, 319, 354, 252, 161, 350, 353, 283, 349, 352, 345, 170, 320, joint resolution No. 5, Senate files Nos. 259, 285, 274, 333, 336, 282.

A committee from the House announced that the House was ready to adjourn sine die.

Senator Turner moved that a committee of three be appointed to notify the House that the Senate was ready to adjourn sine die.

Carried.

The President appointed as such committee, Senators Turner, Bleakly and Wade.

The committee apointed to notify the House announced that they had performed that duty.

The President with a few closing remarks declared the Senate adjourned without day.

SENATE BILLS.

INTRODUCTION AND ACTION.

S. F. — Page.

1—By Gilliland. To amend Section 193 of the code and to provide for the chief Justiceship of the Supreme Court.
Introduced and referred..... 39
Reported and re-referred.... 90
Reported 667
Passed 705
House indefinitely postpones. 820
Passed on file..... 837

2—By Crossley. Providing for the nomination by political parties or organizations of candidates for various offices, and the election of delegates to conventions of said political parties or organizations by primary election, and for the holding of conventions by such political parties or organizations.
Introduced and referred..... 41
Substitute reported.....355-366
Made a special order..... 402
Substitute adopted..... 504
Amended 504-505
Substitute amendment offered 505
Considered 522-523
Reconsideration of adoption of amendment moved.... 522
Substitute amendment lost.. 524
Explanation of vote....524, 526
Lost on passage..... 526

3—By Stookey. Amending section 2,737 of the code relating to certificates issued by county superintendents, making said certificates good upon certain conditions, in any county in the State of Iowa.
Introduced and referred ...41-42
Withdrawn from committee. 89
Re-referred 89

4—By Molsberry. To fix the terms of officers, and to revise the laws to comply with the provisions of the constitutional amendment relative to the biennial elections.
Introduced and referred..... 42
Withdrawn from Committee. 51
Re-referred 51

5—By Newberry. To amend the law as it appears in section fifteen hundred and thirty three (1533) of the supplement to the code in relation to road taxes and work on highways.
Introduced and referred..... 42
Reported unfavorably..... 581
Indefinitely postponed..... 581

S. F. — Page.

6—By Newberry. To encourage the use of wagons with wide tires on public highways and providing for a rebate of a portion of their road tax to persons using wagons with tires not less than three inches in width when hauling heavy loads on the public highways of this state.
Introduced and referred..... 42
Reported 232
Amended 277
Consideration deferred..... 277
Considered 280-281
Passed 281-282
Passed House..... 516
Passed on file..... 517
Enrolled 626
Signed 623
Sent to the governor..... 627

7—By Warren. Relating to the Jurisdiction of Justices of the Peace and their courts in the State of Iowa.
Introduced and referred..... 42
Reported with amendment... 676
Consideration deferred..... 737
Passed 973-974
House indefinitely postponed.1093
Passed on file.....1096

8—By Newberry. To prevent the adulteration, misbranding and imitation of foods, to change the name of the office of "State Dairy Commissioner" to that of "State Food and Dairy Commissioner," and to define his duties.
Introduced and referred..... 47
Substitute reported.....287-291
Re-referred 291
Reported with amendment... 298
Made a special order..... 300
Substitute amended and adopted 338-339
Amended 339-340-341
Passed 342
Passed the House..... 410
Passed on file..... 413
Enrolled 482-483
Signed 481
Sent to the governor..... 485

9—By Courtright. To make appropriations for the support and development of the State Normal School.
Introduced and referred..... 47

10—By Courtright. To provide for the erection, repair, improvement and equipment of buildings for the State Normal School.
Introduced and referred..... 47
Reported 651

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11—By Turner. To provide for the payment of an annual occupation tax for the business of soliciting or taking orders for the sale of intoxicating liquors except from those who are legally authorized by law to make, manufacture, handle, or sell the same, and providing penalty for the violation thereof.
Introduced and referred ...47-48
Reported unfavorably..... 402
Indefinitely postponed..... 402

12—By Hughes. Prohibiting public officers, political committees or delegates to political conventions from asking, accepting or using a free pass, frank or privilege withheld from any other person for the traveling, accommodation or transportation of any person or property, etc.
Introduced and referred..... 48
Reported with amendments 520-522
Made a special order..... 537
Considered and amended.587-589
Considered and amended..599-600
Passed 600
Title amended 600-601
Amended and passed House.. 992
Considered 995-996
Senate concurs in all but one amendment 997-998
House recedes 1037
Passed on file.....1053
Enrolled 1147,1148
Signed 1151
Sent to the governor.....1158

13—By Warren. To create a legislative commission to examine the subject of insurance and the practice of the insurance companies doing business in this state.
Introduced and referred..... 48
Substitute reported 824
Made a special order and re-referred 826
Reported with amendment... 839
Substitute adopted.....878-879
Amended and passed..... 879
Passed House 906
Passed on file..... 945
Enrolled 1027, 1029
Signed 1036
Sent to the governor.....1083

14—By Gilliland. To amend section 1657 of the supplement to the code to provide for the election of directors of the State Board of Agriculture.
Introduced and referred..... 48
Withdrawn from committee. 64
Re-referred 65
Reported with amendments.. 300

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Amendments adopted..... 380
Lost on Passage.....380-381
Motion to reconsider filed... 384
Indefinitely postponed..... 496

15—By Gilliland. To amend section 4,936 of the code relating to incest.
Introduced and referred..... 48
Reported 90
Passed 109
Passed House 168
Passed on file..... 172
Enrolled 247, 248
*Signed 253
Sent to the governor..... 351

16—By Spaulding. To amend section 441 of the code in regard to official newspapers.
Introduced and referred.....48
Reported 163
Considered and re-referred... 222
Substitute reported..... 624
Substitute adopted and passed 830
Passed House 1131
Passed on file.....1135
Enrolled 1205, 1206
Signed 1204
Sent to the governor.....1253

17—By Ericson. Relating to revenue, and providing for a license fee upon corporations, and making an appropriation for the purpose of carrying out the objects of this act.
Introduced and referred ..48-49
Reported with amendments 615-616
Re-referred 681, 798, 1013
Substitute reported and re-referred 1014, 1015

18—By Gilliland. Making an appropriation to provide a water supply for the Institution for Feeble Minded Children and the purchase of the necessary land and equipments therefor.
Introduced and referred..... 49

19—By Turner. To amend Chapter Fifty-three, acts of the Twenty-ninth General Assembly, relative to the duties of township trustees; the election, duties and compensation of road superintendents; the division and consolidation of road districts, and the collection of property road tax.
Introduced and referred..... 53
Reported unfavorably..... 582
Indefinitely postponed..... 582

20—By Hayward. Appropriating money for the use of the Iowa Soldier's Orphan's Home.
Introduced and referred ...53-54

*Erroneously printed S. F. No. 10.

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21—By Hayward. To repeal section, 4969 of the code and enact a substitute therefor, providing for the punishment of cruelty to animals.
Introduced and referred..... 54
Reported 136
Considered 211
Re-referred 212
Reported unfavorably..... 233
Indefinitely postponed..... 233

22—By Hayward. Prohibiting the employment of children in immoral exhibitions and in immoral places.
Introduced and referred..... 54
Reported unfavorably..... 805
Indefinitely postponed..... 805

23—By Dowell. To legalize the action of the Independent School District of West Des Moines, Polk County, Iowa, in making bonds at an election held on the 13th day of March, 1905, and legalizing the bonds, issued by said school district under said Election.
Introduced and referred..... 54
Reported 91
Passed 91-92
Passed House..... 129
Passed on file..... 133
Signed 177
Enrolled 183
Sent to the governor..... 184

24—By Warren. To legalize the incorporation of the town of Harvey, Marion county Iowa, the publication of notices thereof and the ordinances passed.
Introduced and referred..... 54
Reported 91
Passed 93
Passed House..... 129
Passed on file..... 133
Signed 177
Enrolled 183, 184
Sent to the governor..... 184

25—By Molsberry, To amend section four thousand eight hundred and twenty-one of the code.
Introduced and referred..... 63
Reported unfavorably..... 370
Indefinitely postponed..... 370

26—By Molsberry. To legalize the acts of the "People's Bank" and the acts of the same corporation under the name of the "People's State Bank" located at West Liberty, Iowa, and to provide for filing its renewal certificate with the secretary of state.
Introduced and referred..... 63
Reported 90
Passed 110-111
Passed House..... 115
Passed on file..... 116
Enrolled 127, 130
Signed 142
Sent to the Governor..... 130

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27—By Kinne. To amend sections two thousand seven hundred and thirty-nine, two thousand seven hundred and fifty-four, two thousand seven hundred and fifty-seven, two thousand seven hundred and sixty-two, two thousand seven hundred and sixty-four, two thousand seven hundred and sixty-five, two thousand seven hundred and sixty-nine, two thousand seven hundred and seventy-three, two thousand seven hundred and eighty-five, two thousand seven hundred and ninety-three, two thousand eight hundred, two thousand eight hundred and two and two thousand eight hundred and six of the code and supplement to the code relative to the school year, organization and annual meeting of school boards and reports of school officers.
Introduced and referred ...63,64
Substitute reported 413-416
Made a special order 536
Substitute adopted and passed 569,570
Passed House 608
Passed on file..... 612
Enrolled 636,637
Signed 633
Sent to the Governor..... 638

28—By Courtright. To amend section three thousand six hundred and fifty-two of the code relating to trial and judgment.
Introduced and referred..... 64
Reported 89
Passed 92
Passed House 179
Passed on file 188
Enrolled 292,293
Signed 285
Sent to the Governor 351

29—By Molsberry. Empowering the Governor and Secretary of State to execute quit claim deeds conveying to the grantees of L. Dunham all of the right, title and interest of the State of Iowa in the southwest quarter, the west half of the southeast quarter, the south half of the northwest quarter and the northwest quarter of the northwest quarter section twenty-eight (28) and the east half and the northwest quarter of section twenty-nine (29) all in township seventy-three (73) north, range one (1) west of the fifth principal meridian.

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Introduced and referred 64
Reported 135
Considered 142
Passed 143
Passed House 169
Passed on file 172
Enrolled 247,248
Signed 253
Sent to the Governor..... 351

30—By Warren. To repeal sections 2734, 2735, 2736, 2737, chapter 13, title of the code, and sections 2734 2736, supplement to the code and define qualifications of county superintendents and other purposes.
Introduced and referred ... 66
Reported with amendments 191,193
Made a special order..... 199
Consideration deferred 273
Amended 282, 283, 284, 285, 286
Consideration deferred 287
Considered and amended..301-308
Consideration resumed 317
Amended 318, 319
Ordered engrossed..... 319
Made special order 319
Consideration deferred and made a special order 394
Amended 439
Considered 456
Substitute offered and lost456-460
Considered 467
Considered and passed 471, 472
Amended and passed House.. 772
Passed on file 798
Senate concurs 890-892
Enrolled 1028, 1030
Signed 1036
Sent to the Governor 1083

31—By Elerick. To amend subsection of section 2448, as it appears in the code of 1897.
Introduced and referred 66
Reported with amendments.. 264
Re-referred 265

32—By Elerick. To protect creditors who deposit money in savings, state and private banks.
Introduced and referred 67
Reported unfavorably 418
Indefinitely postponed 567

33—By Warren..To amend section 2738, chapter 13, title 13, of the code and the supplement of the code pertaining to the support of normal institutions and defining the duties of the board of supervisors in reference thereto.
Introduced and referred 67
Reported unfavorably 489
Indefinitely postponed 489

34—By Kimmel. To amend Section 2419 of the code, and to provide for the re-shipment of intoxicating liquors.
Introduced and referred ... 68
Reported and re-referred 89
Reported unfavorably 402
Indefinitely postponed 402

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35—By Young of Lee. To amend Section 5716 of the code, and to provide for the compensation of the Chaplains of the penitentiaries.
Introduced and referred 68
Reported 594
Passed 762-763
Passed House 993
Passed on file 998-999
Enrolled 1146, 1147
Signed 1151
Sent to the Governor 1157

36—By Stirton. Limiting the liabilities of cities and towns for injuries received on streets, alleys and walks.
Introduced and referred 68
Reported unfavorably 234
Indefinitely postponed..... 234

37—By Stirton. Providing for the repair of ways and walks in cities and incorporated towns and imposing punishment on cities and town officials for failure to make the same.
Introduced and referred ... 68
Reported unfavorably 233
Indefinitely postponed 233

38—By Young of Washington. Making appropriations for construction, improvement, repairs and contingent funds for the Mt. Pleasant State Hospital.
Introduced and referred ... 69

39—By Lewis. Repealing sections 1872 and 1873 of the code relating to quarterly statements of state and savings banks and examinations by the Auditor of State and providing substitutes therefor.
Introduced and referred 69
Reported with amendment .. 208
Made a special order 274
Amended 381
Consideration resumed 384
Amended 385
Passed 386-387
House indefinitely postpones1103
Passed on file 1123

40—By Lewis. Providing for a penalty for embezzlement by officers and employes of banks and amendatory of section 1869 of the code
Introduced and referred 69
Reported with amendments 148
Amendments adopted 168
Passed 170
Amended and passed House 259-260
Passed on file 261
Senate concurs 316-317
Enrolled 410, 411
Signed 423
Sent to Governor 411

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41—By Hayward. To protect deserving wives and minor children against non-support by husbands.
Introduced and referred 69
Reported unfavorably 873
Indefinitely postponed 873

42—By Courtright. To amend the law as it appears in section 1709 of the supplement to the code, relating to insurance on live stock.
Introduced and referred 69
Substitute reported 207
Substitute adopted 227
Considered and re-referred 227-228
Substitute reported 517-518
Indefinitely postponed 518

43—By Smith of Mitchell. To amend sections one thousand one hundred and six (1106) one thousand one hundred and nine (1109) one thousand one hundred nineteen (1119) one thousand one hundred and twenty (1120) and one thousand one hundred and twenty-one (1121) of the code relating to elections, form of and manner of marking ballots.
Introduced and referred 73
Reported with amendments.. 272
Amendments adopted 493
Passed 493-494
Title amended 494
Passed House 614
Passed on file..... 642
Enrolled 678, 679
Signed 667
Sent to Governor 680

44—By Crossley. To amend section eighty-eight (88) of the code relating to the clerk of the state land office.
Introduced and referred 73
Reported 433
Passed 537
Passed House 652
Passed on file 667
Enrolled 690
Signed 692
Sent to the Governor 710

45—By Courtright. To amend the law as it appears in section two thousand five hundred sixty-four (2564) of the supplement to the code as amended by chapter 97 of the acts of the 30th General Assembly relating to the state board of health, and also granting certain additional powers to said board, defining its duties and providing a remedy for violation of law, and the rules of the state board of health the whole being additional to chapter sixteen (16) title twelve (12) of the code.
Introduced and referred ...73-74

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46—By Smith of Des Moines. Amendatory to section seven hundred ninety two (792) of chapter seven of title five of the code.
Introduced and referred 74
Reported unfavorably ...671-672
Indefinitely postponed 672

47—ByGarst. To amend section forty seven (47) of the code, relative to compensation of newspapers for publication of laws.
Introduced and referred 74
Substitute reported 433
Substitute adopted and passed 548-549
House fails to pass 992
Passed on file 998

48—By Wilson of Clinton. To legalize the acts of the board of directors and electors, and authorize the issuing of forty thousand dollars in school building bonds in the Independent school district of Lyons City, Clinton county, Iowa, and to validate said bonds.
Introduced and referred 74
Reported unfavorably 188
Indefinitely postponed 223
Reconsidered 631-632
Passed 632
House amends and passes .. 684
Passed on file 686
Senate concurs 759-760
Enrolled 788, 790
Signed 790
Sent to Governor 806

49—By Gale. To make it a misdemeanor for unlawfully omitting to provide for wife or child.
Introduced and referred .. 88
Reported unfavorably 565
Indefinitely postponed 565

50—By Whipple. Making appropriations for the College for the Blind.
Introduced and referred 88

51—By Young of Lee. Appropriating money for the benefit of the Penitentiary of Ft. Madison.
Introduced and referred ... 88

52—By Young of Calhoun. Making appropriations for the benefit of the Industrial school for Boys at Eldora.
Introduced and referred .. 88
Reported 168
Passed 195-196
Passed House 260
Passed on file 261
Enrolled 378, 379
Signed 381
Sent to the Governor 394

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53—By Smith of Des Moines. To amend the law as it appears in section eight hundred and fifty (850) of the supplement to the code relating to park commissioners.
Introduced and referred 88
Substitute reported 193
Consideration deferred 223
Considered 250
Substitute adopted and passed 251
Reconsidered and re-referred 254
Reported unfavorably 863
Indefinitely postponed 863

54—By Courtright (by request). Additional to chapter three, title sixteen, of the code in relation to divorce and alimony.
Introduced and referred 88
Reported unfavorably 148
Indefinitely postponed 212

55—By Kinne. To amend section one, chapter ninety-four (94), laws of the Thirtieth General Assembly, relative to the taking fish from the lakes of the state.
Introduced and referred 89
Reported with amendments370-371
Amendments adopted 406
Passed 406
House indefinitely postpones 607
Passed on file 612

56—By Smith of Mitchell. To amend section two thousand four hundred fifty, (2450) of the code relating to the sale of intoxicating liquors under the mulct law.
Introduced and referred..... 89
Withdrawn from Senate.... 103

57. By Dowell. To regulate the employment of child labor and to provide for the enforcement thereof additional to chapter eight (8) title twelve (12) of the code.
Introduced and referred ... 102
Reported unfavorably 620
Indefinitely postponed 620

58—By Newberry. Making an appropriation for the purchase of forty-five thousand (45,000) railroad commissioners official maps to be distributed by the members of the General Assembly and railroad commissioners.
Introduced and referred .. 102
Substitute reported 417
Indefinitely postponed 420

59—By Smith of Mitchell. To amend section twenty four hundred and fifty (2450), of the code relating to the sale of intoxicating liquors under the mulct law.

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Introduced and referred ... 103
Reported 205
Amended 275
Re-referred 275
Substitute reported 292
Made a special order 300
Considered and substitute for substitute offered 352
Considered 353
Substitute for substitute adopted 354
Passed 354-355
Recalled from House 542
Returned by House 545
Referred 560

60—By Turner. To amend section fourteen hundred and seven (1407) of the code relating to the collection of delinquent taxes.
Introduced and referred ... 103
Reported 136
Passed 171-172
Amended and passed House 399
Passed on file 412
Enrolled 482, 483
Signed 481
Sent to Governor 485

61—By Ericson. To amend section seven hundred and thirty two (732) of the supplement to the code relating to the levy of taxes for library purposes.
Introduced and referred 103
Reported with amendments. 371
Amended and passed 407
Amended and passed House 811
Passed on file 817
Senate concurs 817-818
Signed 962
Enrolled 970, 971
Sent to the Governor 978

62—By Gale. To amend section six hundred and twenty two (622) of the code in relation to the severance of territory from towns and cities.
Introduced and referred .. 103
Reported 135
Passed 180
Passed House 260
Passed on file 261
Enrolled 378, 379
Signed 381
Sent to the Governor 394

63—By Newberry. Relative to injuries received on streets, alleys, sidewalks, crossings or bridges of cities or incorporated towns.
Introduced and referred .. 107
Reported unfavorably 234
Indefinitely postponed 234

64—By Molsberry. To repeal section two thousand five hundred and ninety (2590) of the code and supplement to the code, and to insert a substitute therefor, relative to the examination of pharmacists and their assistants.

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Introduced and referred..107-108
Substitute reported 236
Re-referred 312
Substitute reported 336
Substitute for substitute Adopted and passed 379-380
Amended and passed House 812
Senate concurs 819-820
Signed 962
Enrolled 970, 971
Sent to the Governor 978

65—By Young of Lee (by request). To make money lost at gambling a lieu on the real estate and premises so used.
Introduced and referred 108
Reported unfavorably 203
Indefinitely postponed 203

66—By Dunham. Providing for a uniform policy to be used by all fire insurance companies doing business in the State of Iowa.
Introduced and referred ... 108

67—By Stookey. Making it a crime to offer or promise money, property, or anything of value, or gift or gratuity to an agent, employee or servant, without the knowledge or consent of the principal, employer, or master of such agent, employee or servant, with intent to influence his actions in relation to his principal's, employer's or master's business, or an agent, employee, or servant, who without the knowledge and consent of his principal, employer or master, requests or accepts a gift or gratuity or a promise to make a gift or do any act beneficial to himself under an arrangement or understanding that he shall act in any particular manner as to his principal's, master's or employer's business shall be guilty of a crime.
Introduced and referred 108
Reported unfavorably 566
Indefinitely postponed 566

68—By Hayward. Amending the law as it appears in section one thousand seven hundred and nine (1709) of the supplement to the code relating to insurance other than life.
Introduced and referred ... 108
Reported unfavorably ..402-403
Indefinitely postponed 696

*Erroneously printed S. F. No. 75.

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69—By Garst. To provide for the cutting of weeds on the public roads amendatory to title eight (8) chapter two (2) of the code, in relation to working roads.
Introduced and referred 109

70—By Stookey. To amend section four hundred twelve (412) of the code in relation to the times of the meetings of the Board of Supervisors.
Introduced and referred 113
Reported unfavorably 189
Indefinitely postponed 224

71—By Smith of Mitchell. To amend section three thousand five hundred forty (3540) of the code, in relation to the publication of original notices in commencement of actions against unknown defendants, and length of publication.
Introduced and referred ... 113
Reported 203
Passed 252
Passed House 424
Passed on file 428
Enrolled 483, 484
Signed 481
Sent to the Governor 486

72—By Jones. To amend section thirty-one hundred and seventy-three (3173) of the code, relating to divorces.
Introduced and referred 114
Reported unfavorably 189
Indefinitely postponed 225

73—By Crawford. Excepting cities and towns, including cities incorporated under special charters, from liability for injury or damages to person or property, received or suffered upon a public highway, by reason, or in consequence of snow or ice thereon.
Introduced and referred 114
Reported unfavorably 233
*Considered and re-referred. 255
Reported unfavorably 864
Indefinitely postponed 864

74—By Crawford. Making an appropriation for the Dubuque Rescue Home at Dubuque Iowa.
Introduced and referred ... 114

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75—By Young of Calhoun. To amend section two thousand five hundred sixty-seven (2567) of the code so as to include the reporting of divorces and to change the time of reporting marriages and divorces to the State Board of Health.
Introduced and referred 114
Reported unfavorably 452
Indefinitely postponed ..452-453

76—By Young of Calhoun. To amend section two thousand five hundred seventy-six (2576) of the code so as to change the dates of the meetings of the state board of Medical Examiners.
Introduced and referred ... 114
Substitute reported 177
Substitute read 197
Substitute adopted and passed 222-223
Passed House 425
Passed on file 428
Enrolled 482, 484
Signed 481
Sent to the Governor ...485-486

77—By Gilliland. Amending section three thousand one hundred and eigthy-one (3181) of the code, relating to divorces.
Introduced and referred ... 114
Reported 189
Consideration deferred 225
Considered and re-referred.. 251
Reported unfavorably 676
Indefinitely postponed 676

78—By Warren. Making an appropriation for the Department of Agriculture for the erection of a permanent steel amphitheatre on the state Fair Grounds.
Introduced and referred 114-115

79—By Dowell. To amend section two thousand seven hundred ninety-nine (2799) of the code, relating to uniting independent school districts.
Introduced and referred ... 123
Reported unfavorably 946
Indefinitely postponed 946

80—By Dowell. Making an appropriation for the Benedict Home at Des Moines, Iowa.
Introduced and referred .. 123

81—By Young of Washington. Amending section two thousand six hundred eighty-five (2685), of the code and the supplement to the code relating to admission to the Iowa Soldiers Orphans Home.
Introduced and referred .. 128
Reported with amendments 178

*Erroneously printed S. F. 22.

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Amended and passed 197-198
Passed House 344
Passed on file 347
Enrolled 411
Signed 423
Sent to the Governor 412

82—By Smith of Des Moines. To legalize the action of the Board of Supervisors of Des Moines county, Iowa, relating to the sale of school lands in section sixteen (16), township seventy one (71), north of range one (1), west of the fifth principal meridian and to authorize the Governor to issue a patent therefor to the heirs of John Olson.
Introduced and referred 124
Reported 147
Passed 171
Passed House 245
Passed on file 248
Signed 285
Enrolled 292-293
*Sent to the Governor 351

83—By Saunders. To prohibit and regulate hospital, hospital ward institutions and places, created for or maintained and used as lying in or maternity hospitals or hospital wards or places for the reception, care and treatment of women in labor.
Introduced and referred 124
Reported unfavorably 923

84—By Saunders. To make appropriations for the construction, improvement, repair and contingent funds for the Iowa School for the deaf.
Introduced and referred .. 124

85—By Crawford. Making section one thousand three hundred and five (1305) of the code supplement applicable to cities incorporated under special charters; and to provide that in such cities the rate of taxation for municipal purposes may be proportionately increased.
Introduced and referred 131
Reported unfavorably 976
Indefinitely postponed 976

86—By Wilson of Fayette. To amend the law as it appears in section four thousand nine hundred and ninety-nine (4999) of the supplement to the code relating to the safe-guarding of machinery.
Introduced and referred ... 132
Reported unfavorably 645
Indefinitely postponed 645

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87—By Jackson. To amend section four thousand nine hundred and thirty-eight (4938) of the code, and to make provision for the penalty for the second offence.
Introduced and referred ... 132
Reported unfavorably 233
Indefinitely postponed 233

88—By Young of Lee. Making an appropriation for the construction of a new cell house and equipping the same for the penitentiary at Fort Madison.
Introduced and referred 132
Reported unfavorably 800
Indefinitely postponed 800

89—By Molsberry. To amend section one thousand nine hundred seventy-six (1976) one thousand nine hundred seventy-seven (1977), one thousand nine hundred seventy-nine (1979), one thousand nine hundred eighty-two (1982), one thousand nine hundred eighty-four (1984), and one thousand nine hundred eighty-six (1986), of the code relating to levees built by the United States.
Introduced and referred 132
Substitute reported 205-207
Substitute adopted 208
Passed 208-209
Title amended 209
Amended and passed .House 294
Passed on file 297
Senate concurs 348-349
Enrolled 411
Signed 423
Sent to the Governor 412

90—By Warren. Making appropriations for construction, improvement, repair and contingent funds and for the purchase of land for the use of the State Hospital for Inebriates at Knoxville.
Introduced and referred 132

91—By Wilson of Fayette. To repeal the law as it appears in section two thousand five hundred and seventy-eight (2578) of the supplement to the code and Chapter 98 laws of the 30th General Assembly, relating to the quarantine, the care of infected persons and the payment of expenses incurred thereby and to enact a substitute therefor.
Introduced and referred 132-133
Reported 452
Amended and passed 573-574
Amended and passed House 692
Senate concurs 718
Enrolled 770, 771
Signed 768
Sent to the Governor 771

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92—By Dunham. To provide for a uniform policy to be used by all fire insurance companies doing business in the State of Iowa.
Introduced and referred 133

93—By Dunham. To provide for the further encouragement and development of the dairy interests of the State and to appropriate money therefor.
Introduced and referred ... 133
Reported unfavorably 872
Indefinitely postponed 872

94—By Bleakly. Making appropriations for construction, improvement, repair and contingent funds and for the purchase of lands for the use of the Cherokee State Hospital.
Introduced and referred ... 133

95—By Young of Washington. Entitled, an act, to provide for the registration trained or graduate nurses and for the issuance of certificates thereto, and to make it a misdemeanor for any person to advertise or profess to be trained for graduate nurses without having first been registered as provided herein.
Introduced and referred ... 144
Substitute reported 449-452
Substitute adopted and amended 601-602
Passed 603
Title amended 603
House indefinitely postpones 761
Passed on file 770

96—By Spaulding. To amend section twenty-seven hundred and sixty-eight (2768) of the code in relation to school house funds.
Introduced and referred .. 145
Reported 189-190
Passed 273
Amended and passed House 713
Passed on file 720-721
Senate concurs 759
Enrolled 788, 790
Signed 790
Sent to the Governor 807

97—By Whipple. To repeal sections thirty-one hundred and ninety-seven (3197) and thirty-two hundred and nine (3209) and thirty two hundred and ten (3210) and to amend section thirty-two hundred and fourteen (3214) of the code and to enact a substitute for said section thirty-one hundred and ninety seven (3197).
Introduced and referred ... 145
Reported unfavorably 875
Indefinitely postponed 875

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98—By Ericson. Providing for the care and permanent preservation of the public archives, and making an appropriation therefor.
Introduced and referred .. 145
Recalled and re-rererred 265
Reported with amendment . 839

99—By Lewis. Making an appropriation to defray the expenses of the reception tendered ex-Governor Wm. Larrabee by the Thirty-first General Assembly.
Introduced and referred ... 145
Reported 204
Passed 216-217
Passed House 244
Passed on file 248
Signed 285
Enrolled 292-293
Sent to the Governor 351

100—By Saunders. To amend the law as it appears in chapter eight (8) title thirteen (13) of the code so as to raise the maximum age of commitment of females to the Industrial School to eighteen years and to raise the limit of the age of discharge therefrom to twenty-one years.
Introduced and referred ... 145
Substitute reported 463-464
Substitute adopted and passed 548
Amended and passed House 749
Referred 758
Recalled from committee .. 889
Senate concurs 892
Enrolled 1028, 1029
Signed 1036
Sent to the Governor 1083

101—By Dowell. To provide for the government of certain cities. (amending title five (5) of the code.)
Introduced and referred 145
Reported unfavorably 454
Indefinitely postponed 454

102—By Smith of Mitchell. Making an appropriation to cover deficiency on account of additional employes of the Thirtieth General Assembly, and to pay the additional employes of the Thirty-first General Assembly.
Introduced and referred 161
Reported 205
Passed 218-219
Passed House 295
Passed on file 298
Enrolled 378
Signed 381
Sent to the Governor 394

103—By Garst. Making an appropriation of the sum of $4,978.27 to Albert B. Cummins, W. B. Martin, B. F. Carrol, and G. S. Gilbertson, to reimburse them for funds advanced, for the purpose of completing the tabulation of the State census of 1905.
Introduced and referred .. 161
Reported 204
Passed 275
Passed House 481
Passed on file 488
Enrolled 525
Signed 524
Sent to the Governor 525

104—By Garst. To make an appropriation to defray the mileage and expenses of the members of the two joint committees appointed by the Thirtieth General Assembly under joint resolutions originating in the Senate numbered six and seven.
Introduced and referred ... 161
Reported 205
Passed 217-218
Amended and passed House 295
Passed on file 297
Senate concurs 397
Enrolled 482, 483
Signed 481
Sent to the Governor 485

105—By Garst. To amend section one thousand six hundred thirty-seven (1637) of the code, relating to corporations.
Introduced and referred ... 161
Reported unfavorably 901
Indefinitely postponed 901

106—By Crossley. To amend the law as it apppears in section six hundred ninety-seven (697) of the code, relating to the powers of cities and towns with reference to their cemeteries.
Introduced and referred 162
Reported unfavorably..... 190
Indefinitely postponed..... 225

107—By Hayward. To repeal section 2474 of the code, relating to reports and returns to the Bureau of Labor Statistics, and to enact a substitute therefor.
Introduced and referred..... 162
Reported unfavorably..... 644
Indefinitely postponed..... 644

108—By Brooks. To amend section fourteen hundred and four (1404) of the code, relating to the assessment of personal property.
Introduced and referred 162
Reported 616
Consideration deferred 737
Referred 748
Reported unfavorably 822
Indefinitely postponed 822

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109—By Brooks. Providing for the registration of stallions and fixing penalties for the violation thereof.
Introduced and referred ... 162
Substitute reported 842
Substitute adopted and passed 1063
Passed House 1144
Passed on file 1174
Enrolled 1237, 1241
Signed 1255
Sent to the Governor .....1249.

110—By Brooks. To amend section sixteen hundred and fifty-seven-D (1657-D) of the supplement to the code, relating to the agricultural convention.
Introduced and referred ... 162
Substitute reported 582-583
Substitute adopted 857
Amended and passed 857
Passed House 1129-1130
Passed on file 1136
Enrolled 1205, 1206
Signed 1204
Sent to the Governor 1253

111—By Young of Lee. Appropriating the sum of two thousand dollars ($2,000.00,) to be paid to Mrs. John Stein in full settlement of all claims against the State of Iowa, by reason of the death of John Stein, who was killed by a falling scaffold at Fort Madison penitentiary while working under the orders of the superintendent of construction.
Introduced and referred ... 162
Reported with amendments. 475
Re-referred 475
Reported with same amendments 694
Amendments adopted 831
Passed 831-832
Passed House 1061
Passed on file 1064
Enrolled 1146, 1148
Signed 1151
Sent to the Governor 1158

112—By Hartshorn. To make appropriations for the Industrial School for Boys Eldora.
Introduced and referred ... 162

113—By Jamison. To appropriate the sum of ten thousand dolars ($10,000) for the relief of Ernest Ireland on account of injuries received while in the employ of the State.
Introduced and referred 176
Reported unfavorably 1014
Indefinitely postponed ..1014

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114—By Molsberry. To amend section four thousand eight hundred and twenty-one (4821) of the code relative to hunting on enclosed lands.
Introduced and referred ... 176
Reported 370
Indefinitely postponed 406

115—By Bruce. Appropriating the sum of eight hundred sixty-eight and forty-eight one hundredth dollars ($868.48) to be paid to H. W. Tapley and Philip Margon in settlement of all claims against the State of Iowa by reason of the loss of valuable coins abstracted from the Historical Building by an employe of the State.
Introduced and referred ... 176
Reported unfavorably 1015
Indefinitely postponed 1015

116—By Hartshorn. To legalize certain acts and resolutions of the city of Eagle Grove, Iowa.
Introduced and referred.... 176
Reported unfavoraby 922

117—By Brooks. Amending section one thousand eight hundred seventy-one (1871) of the code, relating to the examination of state and savings banks.
Introduced and referred ... 176
Reported with amendments. 454
Amendments adopted..... 604
Passed 604
Passed House 749
Passed on file 758
Enrolled 788, 790
Signed 790
Sent to the Governor 807

118—By Turner. To regulate the issuance, acceptance and use of free transportation or transportation at less rates than are open to the general public, by railway, street railway and interurban railway companies and to provide penalties for the violation thereof.
Introduced and referred .. 177
Reported unfavorably 519
Indefinitely postponed ..740-741

119—By Stirton. To limit the liability of cities and towns for injuries received on streets, alleys, sidewalks, crosswalks, bridges and culverts.
Introduced and referred 177
Reported unfavorably 234
Indefinitely postponed 234

120—By Eckles. Appropriating money for the use of the Iowa Soldiers Home.
Introduced and referred ... 186

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121—By Wilson of Fayette (by request). Providing for the nomination by political parties or organizations of candidates for various offices and the election of delegates to conventions of said political parties or organizations by a primary election and otherwise for the holding of conventions by such political parties or organizations
Introduced and referred ... 186
Reported unfavorably 800
Indefinitely postponed 801
122—By Ericson. To amend section one thousand four hundred sixty-seven (1467) of the code relating to assessment and collection of collateral inheritance tax.
Introduced and referred 186
Reported with amendments. 315
Amendments adopted 394
Passed 394-395
Passed House 571
Passed on life..... 580
Enrolled *625, 626
Signed 623
Sent to the Governor 627
123—By Courtright. To amend section forty-one hundred fourteen (4114) of the code, relating to appeals in the Supreme Court.
Introduced and referred ... 186
Reported unfavorably 922
124—By Courtright. To appropriate money for the use of Iowa manufacturers in exhibiting their products
Introduced and referred ... 186
125—By Courtright. To amend section fourteen hundred sixty-seven (1467) of the code relative to assessment and collection of collateral inheritance tax.
Introduced and referred ... 186
Reported 204
Passed 252-253
Passed House..... 399
Passed on file..... 412
Enrolled 482-483
Signed 481
Sent to the Governor 485
126—By Courtright. For the protection of birds, their nests and eggs, the whole being additional to chapter fifteen (15), title twelve (12) of the code.
Introduced and referred ... 187
Reported with amendments 721-722
Amendment adopted..... 751
Passed 751-752
Amended and passed House 950
Passed on file 961
Senate concurs 961-962
Enrolled 1028, 1029
Signed 1036
Sent to the Governor 1083

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127—By Hayward. To legalize the proceedings of the city council of the city of Davenport in improving a portion of Eddy street, and the Davenport and Le Claire road and the re-levy of the assessment of the cost thereof.
Introduced and referred ... 187
Reported unfavorably 299
Indefinitely postponed 299
128—By Saunders. To prescribe conditions for the organization or authorization of fraternal beneficiary societies, orders or associations.
Introduced and referred 187
129—By Warren. Making appropriations for construction, improvement, repairs and contingent funds for the State Hospital for Inebriates at Knoxville.
Introduced and referred ... 187
130—By Stirton. Making appropriations for construction, improvement, repairs and contingent funds for the State Penitentiary at Anamosa.
Introduced and referred 187
131—By Warren. Providing for the purchase and erection of a monument at the grave of William M. Stone and making an appropriation therefor.
Introduced and referred 201
132—By Saunders. To amend the law as it appears in chapter forty-one (41), section two (2), acts Twenty-eighth General Assembly of Iowa, section thirteen hundred and six (1306), code supplement 1902, relating to limiting the indebtedness of political and municipal corporations.
Introduced and referred 201
Reported unfavorably 1124
Indefinitely postponed 1124
133—By Saunders. To grant and relinquish to the city of Council Bluffs, Iowa, the title of the State of Iowa in and to Big or Spring Lake located in Pottawattamie county Iowa.
Introduced and referred ... 201
Reported 462
Passed 496
Passed House 646
Passed on file 651
Enrolled 678, 680
Signed 667
Sent to the Governor 680
134—By Saunders. To amend the law as it appears in section seven hundred forty-five (745) code supplement 1902, relating to

*Erroneously printed Senate File No. 172.

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the purchase or erection of waterworks by cities and conferring additional powers with reference thereto on certain cities.
Introduced and referred.201-202
Substitute reported 688
Substitute adopted and passed 832
Amended and passed House1061
Senate concurs 1065-1066
Enrolled 1147, 1148
Signed 1151
Sent to the Governor.....1158

135—By Winne. To amend section two thousand fifty-two (2052) of the code.
Introduced and referred ... 202
Reported with amendments. 315
Amendments adopted 395
Passed 395-396
House indefinitely postpones 445
Passed on file 448

136—By Gale (by request). Additional to and amendatory of the law as it appears in chapter six (6) of title twelve (12) of the code of 1897, and supplement to the code, relating to intoxicating liquors, providing for the appointment of district marshals and their deputies describing their duties, fixing their compensation and creating a fund therefor.
Introduced and referred 202
Reported unfavorably 371
Indefinitely postponed 553

137—By the Committee on Highways. To provide for improving public highways by the use of the road drag.
Introduced and placed on calendar 220
Indefinitely postponed 276

138—By the Committee on Highways. To amend the law as it appears in section fifteen hundred thirty-three (1533) of the supplement to the code.
Introduced and placed on calendar 220
Consideration deferred 276
Passed 328
Amended and passed House. 446
Passed on file 448
Senate concurs 502-503
Enrolled 626
Signed 623
Sent to the Governor 627

139—By Gilliland. To appropriate the sum of twenty five hundred (2500) dollars to pay M. C. Byers for his services in prosecuting and collecting the claim of the State of Iowa, against the United States Government for money

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expended by the State in aiding the government to equip and place in the field its soldiers for the Spanish War.
Introduced and referred 220
Reported and re-referred .. 532
Reported 792-957
Passed 958
Passed House 1080
Passed on file 1094
Enrolled 1164, 1165
Signed 1167
Sent to the Governor 1169

140—By Dowell. Relating to gifts, devises or bequests to state institutions.
Introduced and referred 221
Reported 235
Passed 237-238
Passed House 425
Passed on file 428
Enrolled 483, 485
Signed 481
Sent to the Governor 486

141—By Harper. To regulate the sale of gasoline and providing penalty for the violation thereof.
Introduced and referred .. 221
Reported 369
Passed 534-535
Amended and passed House 820
Senate concurs 837-838
Enrolled 917, 918
Signed 915
Sent to the Governor 926

142—By Hughes. To amend the law as it appears in section twenty-seven hundred twenty-seven-c (2727-c) of the code relating to salaries.
Introduced and referred 221
Reported with amendment .. 434
Amendments adopted 556
Passed 556
Passed House 821
Passed on file 838
Signed 962
Enrolled 971
Sent to the Governor 979

143—By Bleakly. To repeal chapter one hundred eighty-five (185) of the acts of the Thirtieth General Assembly and to enact a substitute therefor, relating to the survey, appraisement and sale of abandoned channels of the navigable streams of the state and islands or bars, situated in said navigable streams, and authorizing the appointment of a commission to ascertain and establish the boundary lines between the State of Iowa and adjoining states.
Introduced and referred 221
Reported unfavorably 1099
Indefinitely postponed 1099

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144—By Dowell. To provide for the care and control of public cemeteries in certain cities, to create a Board of Cemetery Commissioners and to confer certain powers upon said commissioners.
Introduced and referred 221
Reported unfavorably 584
Indefinitely postponed 584

145—By Saunders. To provide for the comfort of petit juries.
Introduced and referred 221
Reported with amendments.. 235
Considered 328
Amended and passed 329
House indefinitely postpones 384
Passed on file 392

146—By Lewis. Making appropriations for construction, improvement, repairs and contingent funds for the Clarinda State Hospital.
Introduced and referred 221-222

147—By Gilliland. To make appropriation for Institution for Feeble Minded Children.
Introduced and referred ... 230

148—By Young of Calhoun. To require manufacturers of proprietary, or patent drugs and medicines to properly label the same, and to regulate the sale of menthal alcohol (wood spirits) and providing penalties for the violation thereof, additional to chapter eighteen (18) of title twelve of the code relating to the practice of pharmacy.
Introduced and referred ... 231
Reported unfavorably 765
Indefinitely postponed 765

149—By Dunham. Making appropriations for construction, improvement, repairs and contingent funds for the Independence State Hospital.
Introduced and referred 231

150—By Crawford. To amend sections nineteen hundred sixty-eight (1968), nineteen hundred sixty-nine (1969), nineteen hundred seventy (1970) and nineteen seventy-two (1972) of the code relative to the drainage of lead and zinc mines.
Introduced and referred 231

151—By Gale. To provide for extension work by the Iowa State College of Agriculture and Mechanic Arts, and for investigation and experimental work by the Agricultural Experimental Station and to make appropriations therefor.
Introduced and referred ... 242
Reported and re-referred .. 673
Substitute reported 959
Substitute adopted 960
Substitute for House File No. 134 962-963

152—By Dunham. To provide for the publication of municipal accounts and to establish a uniform system of accounts, reports and audit in cities and towns, amending the law as it appears in sections seven hundred forty-one-a (741-a) seven hundred forty-one-b (741-b) and and seven hundred forty-one-c (741-c) of the supplement to the code.
Introduced and referred 242-243
Reported with amendments 585
Amendments adopted 716-717
Passed 717
Amended and passed House 993
Considered 993
Enrolled 1146, 1148
Senate concurs 994
Signed 1151
Sent to the Governor 1157

153—By Stookey. To amend section thirteen hundred seventy-three (1373), of the code in relation to appeals from the Board of Review to the district court.
Introduced and referred 243
Reported unfavorably 805
Indefinitely postponed 805

154—By Bruce. To amend section four thousand twenty-five (4025) of the code in relation to notice to defendant in sales under execution.
Introduced and referred ... 243
Reported 350
Passed 398
Passed House 614
Passed on file 642
Enrolled 679
Signed 667
Sent to the Governor 681

155—By Gale. To legalize the incorporation of the town of Meservey, Cerro Gordo county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town.
Introduced and referred 243
Reported with amendments. 299
Considered 329
Amended and passed 330
Passed House 426
Passed on file..... 429
Enrolled 483, 485
Signed 481
Sent to the Governor 486

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156—By Dunham. To amend section forty-nine hundred eighty-nine (4989) and forty-nine hundred ninety (4990) of the code, relating to the sale of adulterated milk and cream.
Introduced and referred .. 243
Reported 404
Passed 420-421
Passed House 647
Passed on file 651
Enrolled 678, 680
Signed 667
Sent to the Governor 680
157—By Dunham. Defining the powers of the state dairy commissioner, his deputy and assistants.
Introduced and referred .. 243
Reported 404
Amended and passed 421
Passed House 684
Passed on file 687
Enrolled 730
Signed 717
Sent to the Governor 731
158—By Stirton. To amend section eighteen hundred eighty-five (1885) of the code relating to fraudulent banking.
Introduced and referred.... 243
Reported unfavorably 373
Indefinitely postponed 553
159—By Ericson. To amend section seven hundred twenty-nine (729) of the supplement of the code, and four hundred twenty-two (422) of the code relating to powers of trustees of public libraries and to provide for the use of same by residents outside of corporate limits of town or city in which the library is located.
Introduced and referred ... 244
Reported with amendments. 453
Amendments adopted 538-539
Passed 539
Amended and passed House 1069-1070
Senate concurs 1076
Enrolled 1164, 1165
Signed 1167
Sent to the Governor 1170
160—By Ericson. To provide for the erection, repair and equipment of buildings for the Iowa State College of Agriculture and Mechanic Arts.
Introduced and referred .. 244
Reported and re-referred... 298
Reported 652
161—By Ericson. Providing for the inside finishing and completion of the Historical. Memorial and Art building, also for the purchase of steel book staks, and making an appropriation therefor.
Introduced and referred ... 261
Reported with amendments1067
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Amendments adopted 1068
Passed 1068
Passed House 1208
Passed on file 1214
Enrolled 1239, 1242
Signed 1255
Sent to the Governor 1251
162—By Young of Lee. Making an appropriation for the Iowa Corn Growers Association.
Introduced and referred 271
163—By Newberry. Prohibiting manipulation of the Babcock test and providing punishment therefor.
Introduced and referred 271
Reported 404
Passed 553-554
Passed House 646
Passed on file 650
Enrolled 678, 679
Signed 667
Sent to the Governor 680
164—By Saunders. To grant and relinquish to the City of Council Bluffs, Iowa, the title of the State of Iowa in or to the meandered lake known as "Carr" Lake.
Introduced and referred 271
Reported 466
Passed 537-538
Passed House 646
Passed on file 651
Enrolled 678, 680
Signed 667
Sent to the Governor 680
165—By Hartshorn. To amend section one hundred thirty-eight (138) of the code in relation to the printing the docket for the Supreme Court.
Introduced and referred 279
Reported 392
Passed 547
Passed House 853
Passed on file 858
Enrolled 915, 918
Signed 915
Sent to the Governor 926
166—By Harper for the Military Committee. Providing for the compilation and publication of a roster of Iowa soldiers, sailors and marines, and soldiers and marines of other states and territories living in Iowa in the war with Mexico and the war of the rebellion, the Spanish American and Philipine wars, including military service in the Spirit Lake expedition, and other service against the Indians and making an appropriation therefor.
Introduced and referred..... 279
Substituted reported..... 773
Substitute adopted 845-846
Passed 846
House indefinitely postpones1060
Passed on file 1064

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167—By Young of Washington. Making appropriation for the erection of a monument in Elm Grove Cemetery, Washington, Iowa, over the grave of Timothy Brown, a soldier of the Revolutionary war.
Introduced and referred 279
Reported with amendment . 448
Amendments withdrawn 476-477
Passed 477-478
Passed House 615
Passed on file 642
Enrolled 678, 679
Signed 667
Sent to the Governor 680
168—By Hughes. Providing for a levy of a special tax of one-fifth of a mill on the dollar upon the assessed valuation of the taxable property of the state for the erection, repair and improvements of buildings for the State University of Iowa.
Introduced and referred 280
Reported 652
169—By Young of Calhoun. Appropriating the sum of five thousand (5,000) dollars to be paid to Lena Ness, guardian of Andrew T. Ness for the use and benefit of Andrew T. Ness in settlement of all claims against the state of Iowa, by reason of the injury to Andrew T. Ness, and damages resulting therefrom in the loss of a leg and for the pain and suffering resulting from said injury, said injury occurring while the said Andrew T. Ness was detained in the State Hospital for the insane at Independence, Iowa.
Introduced and referred 280
Reported and re-referred .. 316
Reported with amendments 595
Re-referred 595
Reported with amendments. 670
..Amended and passed 881-882
Passed House 1103
Passed on file 1123
Enrolled 1164, 1166
Signed 1167
Sent to the Governor 1169
170—By Spaulding. To repeal section twenty-seven hundred thirteen (2713) of the supplement to the code, and to increase the fund for the support of the industrial school, and to fix the minimum monthly allowance for each department thereof.
Introduced and referred 296
Reported with amendments.1139
Amendments adopted .1139-1140
Passed 1140
Passed House 1190
Passed on file 1197

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Enrolled 1238, 1241
Signed 1255
Sent to the Governor 1250
171—By Crossley. To assign rooms Nos. 18 and 19 to the State Horticultural Society amendatory to title two (2) chapter six (6) of the code, pertaining to public buildings.
Introduced and referred..... 296
Reported unfavorably 1053
Indefinitely postponed 1053
172—By Dunham. To encourage the planting of forest and fruit trees in the State of Iowa.
Introduced and referred.... 296
Reported and re-referred673-674
Reported unfavorably 801
Indefinitely postponed 801
173—By Lambert. To amend sections seventy (70), seventy-one (71) and one hundred forty-one (141) of the code, and to repeal the law as it appears in section one hundred twenty-five (125) of the supplement to the code, and enact a substitute therefor, and to repeal the law as it appears in section one hundred twenty-six (126) of the supplement to the code as amended by chapter five (5) of the acts of the Thirtieth General Assembly and to enact a substitute therefor and to amend, etc.
Introduced and referred ... 296
Withdrawn for correction .. 368
Reported with amendments 418
Amended and passed567-568-569
Passed House 748
Passed on file 758
Enrolled 788, 790
Signed 790
Sent to the Governor 807
174—By Saunders. To amend sections fifteen hundred twenty-eight (1528) and fifteen hundred thirty (1530) of the supplement to the code, relative to the levying of road taxes and working the same.
Introduced and referred 296
175—By Stookey. To amend sections five hundred sixty five (565) and eleven hundred thirty (1130) of the code in relation to the election of township clerk and township trustees in townships, a part of which is included within the corporate limits of any city or town.
Introduced and referred.296-297
Substitute reported 464
Substitute adopted 628
Consideration deferred...628-629
Considered and amended761-762
Lost on passage 762

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176—By Hayward. To authorize the establishment of state employment offices under supervision of the Bureau of Labor Statistics.
Introduced and referred 314
Reported unfavorably 645
Indefinitely postponed 645
177—By Hughes. Making appropriations for the State University of Iowa.
Introduced and referred 314
178—By Stookey. To amend sections eighteen (18) and nineteen (19) of the code in relation to county auditor's reports to the state auditor of codes, supplement to the code and session laws furnished by the secretary of state to county auditors.
Introduced and referred 314
Reported 465
Passed 648-649
Amended and passed House 855
Senate concurs 1039-1040
Enrolled 1146, 1148
Signed 1151
Sent to the Governor 1157
179—By Ericson. Making appropriations to the Iowa State College of Agriculture and Mechanic Arts.
Introduced and referred 322
180—By Smith of Des Moines. Making an appropriation for the erection of a monument at the Aspen Grove Cemetery, Burlington, Iowa, to perpetuate the memory of John Morgan and providing the method of such erection.
Introduced and referred 322
Reported with amendments.. 448
Amendments adopted 495
Passed 495-496
Passed House 571
Passed on file 580-581
Enrolled 625, 626
Signed 623
Sent to the Governor 627
181—By Turner. For the appointment of State agents for the Industrial school and the Soldiers' Orphans' Home, defining their duties and making an appropriation for their salaries, and expenses and to repeal chapter one hundred fifty-seven (157) of the acts of the Thirtieth General Assembly and other acts, in conflict with this act.
Introduced and referred 322
Reported 670
Considered 892
Consideration postponed ... 893
Passed 896
Passed House 1113
Passed on file 1122
Enrolled 1163, 1166
Signed 1167

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Sent to the Governor 1169
182—By Turner. Providing for the placing by adoption and contract and for the care and protection of children of the Iowa Soldiers' Orphans' Home and to repeal section twenty-six hundred ninety (2690) of the code and other acts and parts of acts in conflict with this act.
Introduced and referred 322
Reported 671
Amended and passed 928
Passed House 1113
Passed on file 1122
Enrolled 1164, 1166
Signed 1167
Sent to the Governor.....1169
183—By Turner. To repeal section twenty-seven hundred four (2704) of the supplement to the code and to enact a substitute therefor relating to the placing under contract of boys and girls committed to the Industrial school.
Introduced and referred .. 322
Reported 671
Passed 928-929
Passed House 1113
Passed on file 1122
Enrolled 1163, 1166
Signed 1167
Sent to the Governor 1169
184—By Bleakly. To legalize the acts of the town of Ida Grove, Iowa, and its council and officers, relating to the erection of a public building and fire station in the incorporated town of Ida Grove, Iowa, and the subsequent acts of the officers of said town in relation thereto.
Introduced and referred.322-323
Reported 393
Passed 494-495
Passed House 544
Passed on file 560
Enrolled 625-626
Signed 623
Sent to the Governor 627
185—By Young of Washington. To prohibit unfair discrimination between different sections, communities or localities, unfair competition, and providing penalties therefor.
Introduced and referred .. 335
Reported unfavorably 907
186—By Jackson. To repeal section four hundred sixteen (416) of the code of Iowa relating to supervisors' districts and to enact a substitute therefor providing for the election of supervisors for the county at large.
Introduced and referred 335
Reported and re-referred.... 565
Reported and re-referred.... 976

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187—By Gilliland. To amend division twenty (20) section four hundred twenty-two (422) of the code relating to powers of the board of supervisors.
Introduced and referred 335
Reported 404
Considered and passed ..491-492
Passed House 692
Passed on file 719
Enrolled 770
Signed 768
Sent to the Governor..... 771

188—By Winne. To repeal section fifteen hundred thirty (1530) of the code, relative to the levy of taxes for roads and highways.
Introduced and referred 336
Substitute reported 755

189—By Senator Whipple, Senate file No. 189, a bill for an act to create a Board of Regents for the State University, the College of Agriculture and Mechanics Arts and the Normal School and to prescribe its duties and to provide for the management and control of the State University, the College of Agriculture and Mechanics Arts and the Normal School, to make appropriations therefor and to define certain offenses and provide penalties therefor; and to repeal sections twenty-six hundred seventeen (2617), twenty-six hundred eighteen (2618), twenty-six hundred nineteen (2619), twenty-six hundred twenty (2620), twenty-six hundred thirty-five (2635), twenty-six hundred thirty-six (2636), twenty-six hundred forty-two (2642), twenty-six hundred forty-six (2646), twenty-six hundred forty-seven (2647), twenty-six hundred fifty (2650), twenty-six hundred fifty one (2651),twenty-six hundred fifty-two (2652), twenty-six hundred fifty-three (2653), twenty-six hundred sixty-eight (2668), twenty-six hundred sixty-nine (2669), twenty-six hundred seventy (2670), twenty-six hundred eighty-one (2681), of the code, and the law as it appears in sections twenty-seven hundred twenty-seven-a fifty-three (2727-a-53 twenty-seven hundred twenty-seven-a fifty-four (2727-a-54), twenty-seven hundred twenty-seven-a fifty-five (2727-a-55), twenty-seven hundred twenty-seven-a fifty-six (2727-a-56), of the supplement of the code, and to repeal all acts and parts of acts inconsistent with this act.
Introduced and referred 346
Substitute reported 643-644
Made a special order 644
Considered 681-682-691-692
Consideration deferred 692
Considered ..763-767-771-774-787
Passed 791
*House fails to pass 950
Passed on file 960-961

190—By Maytag. To legalize the action of the Board of Supervisors and other officers of Jasper county, Iowa, as far as they relate to the establishment of a certain public highway in said county,
Introduced and referred 346
Reported 374
Passed 545-546
Passed House 630
Passed on file 643
Enrolled 679
Signed 667
Sent to the Governor 681

191—By Jones. To amend section fifteen hundred thirty-eight (1538) of the code relating to compensation of trustees and township clerks.
Introduced and referred 346
Reported 595
Passed 886-887
Passed House 1103
Passed on file 1123
Enrolled 1163, 1166
Signed 1167
Sent to the Governor 1169

192—By Ericson. To amend section twenty-six hundred forty-seven (2647) of the code in relation to the powers of the Board of Trustees of the State College of Agriculture and Mechanic Arts.
Introduced and referred..346-347
Reported and re-referred .. 841
Substitute reported 1008
Substitute adopted 1200
Passed 1200-1201
Passed House 1218
Passed on file 1220
Enrolled 1240, 1243
Signed 1255
Sent to the Governor.....1252

193—By Young of Lee. Making appropriation for the erection of a monument in Sharon cemetery, Lee county, Iowa, over the grave of Geo. Perkins, a soldier of the Revolutionary war.

*Erroneously printed Senate File No. 179.

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Introduced and referred 347
Reported with amendments 449
Amendment withdrawn 572
Passed 572-573
Passed House 869
Passed on file 871
Enrolled 917, 919
Signed 915
Sent to the Governor 927
194—Directing the Governor of the State of Iowa to invite the Governors of the several states to name representatives to an Interstate Convention, to be held at Des Moines, Iowa, or elsewhere, for the purpose of securing such action on the part of the several states as will result in a constitutional convention for the proposal of an amendment to the constitution providing for the election of United States Senators by a direct vote, and making an appropriation for the expenses of calling the same.
Reported as a substitute for Senate Joint resolution No. 3-349
Placed on calendar 359
Made a special order 397
Considered and amended.478-479
Renamed Joint resolution No. 3 480
Passed 481
See Senate Joint Resolution No. 3
195—By Gale. To repeal chapter thirty-one of the acts of the Thirtieth General Assembly and to enact a substitute therefor relating to sewers in cities and incorporated towns.
Introduced and referred .. 367
Reported unfavorably 863
Indefinitely postponed 864
196—By Dunham. To amend section two hundred eighty-eight (288) of the code relating to sale book record.
Introduced and referred 367
Reported 805
197—By Kimmel. To provide for the licensing of persons to hunt, pursue, kill and take wild animals, birds and game in this state, and the payment of such license fees into the state treasury for the use of the fish and game warden and the punishing of unauthorized persons for hunting, pursuing, killing and taking of any wild animals, birds or game within the state and amending section two thousand five hundred sixty-two (2562) of the code relating to the deputy fish and game wardens.
Introduced and referred367-368

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198—By Hogue. Appropriating the sum of two hundred seventy-eight dollars twenty-one cents ($278.21) to be paid to Crawford county in settlement of claims against the State of Iowa by reason of expense incured in the transporting of Russell Gifford and Wm. Butterworth, insane persons out of the State.
Introduced and referred 368
Reported and re-referred.689-690
Reported 827
Passed 909-910
House indefinitely postpones1103
Passed on file 1124
199—By Dowell. To amend the law as it appears in section one thousand seven hundred nine (1709) of the code and of the supplement to the code relating to insurance.
Introduced and referred 368
Substitute reported 518-519
Indefinitey postponed 845
200—By Dowell. Making appropriations for construction, improvement, repairs and contingent funds for the Industrial School for Girls at Mitchellville.
Introduced and referred 368
201—By Crossley. To legalize the ordinances, acts, resolutions and amendments to the ordinances passed by the city council of Winterset, Iowa, and to legalize all the acts of the incorporated city of Winterset, in the county of Madison, State of Iowa.
Introduced and referred ...368
Reported 393
Amended and passed 400-401
Amended and passed House 477
Passed on file 488
Senate concurs 488-489
Enrolled 525
Signed 524
Sent to the Governor 526
202—By Kimmel. Relating to the expending of road funds and amending section fifteen hundred forty-eight (1548) of the code.
Introduced and referred 383
Reported unfavorably 581
Indefinitely postponed 581
203—By Kimmel. Relating to the collection of poll tax and amending section fifteen hundred fifty (1550) of the code.
Introduced and referred .. 383
Reported 582
Passed 754-755
Passed House 854
Passed on file 859
Enrolled 917, 918
Signed 915
Sent to the Governor 926

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204—By Crossley. Providing for the listing and taxing of mortages and other liens upon real estate.
Introduced and referred .. 383
Reported unfavorably 901

205—By Hartshorn. To appropriate the sum of seventy-five dollars to pay Henry Eyler for money advanced by him to the State of Iowa, as rent for certain lake beds situated in Wright county, Iowa.
Introduced and referred 390
Reported and re-referred .. 475
Reported 643
Passed 905
Passed House 1131
Passed on file 1135
Enrolled 1205, 1207
Signed 1204
Sent to the Governor 1254

206—By Smith of Des Moines. To amend section seven hundred twenty-five (725) chapter four (4), title five (5) of the code referring to general powers.
Introduced and referred 390
Reported 874

207—By Elerick. To amend chapter sixteen-a (16-a) title twelve (12) as it appears in the supplement to the code.
Introduced and referred .. 390
Reported unfavorably 583
Indefinitely postponed 583

208—By Smith of Des Moines. To amend section twenty one hundred fifty-eight (2158) chapter eight (8) title ten (10) of the code, referring to telegraph and telephone lines.
Introduced and referred 391
Reported with amendments.....454-455
Re-referred 623
Reported as before 863
Amendments adopted 1033
Passed 1033-1034
House indefinitely postpones1212
Passed on file 1215

209—By Young of Calhoun. Extending all existing franchises of telephone, telegraph and district telegraph companies so they will expire at the same time.
Introduced and referred .. 391
Reported 902
Lost on passage 1037

210—By Hayward. To repeal section twenty-seven hundred sixty-three (2763) of the code relating to notices of special meetings of Boards of School districts and to enact a substitute therefor.
Introduced and referred ... 391
Reported with amendment .. 772

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211—By Hayward. To repeal the law as it appears in section twenty-eight hundred twelve-b (2812-b) of the supplement to the code, relating to school district bonds and to enact a substitute therefor.
Introduced and referred 391
Reported unfavorably 772

212—By Whipple. To provide for the investment of the funds of fraternal beneficiary societies, orders or associations, and to provide that the same shall be deposited with the Auditor of State.
Introduced and referred .. 391

213—By Jones. To quiet the title to the north half of the north-west quarter and the southwest quarter of the northwest quarter of section eleven (11), township seventy-four (74) north of range seventeen (17) west of the fifth principal meridian, Mahaska county, Iowa, and to authorize the issuance of patent covering the north half of the northwest quarter of section eleven (11) township seventy-four (74) north of range seventeen (17) west of the fifth principal meridian, Mahaska county, Iowa.
Introduced and referred..391-392
Reported with amendments.. 617
Amendments adopted..... 752
Passed 752-753
Passed House 821
Passed on file..... 838
Enrolled 971
Signed 962
Sent to the governor..... 979

214—By Garst. To provide for the organization of consolidated independent districts additional to title thirteen (13), chapter fourteen (14) of the code.
Introduced and referred..... 392
Reported 667
Passed 886
Passed House 1082
Passed on file.....1094
Enrolled 1165
Signed 1167
Sent to governor.....1170

215—By Brooks. To provide for the renewal or extension of the corporate period of the state and savings banks.
Introduced and referred.... 392
Reported 694
Passed 1002
Amended and passed House..1167
Senate concurs.....1173-1174
Enrolled 1237, 1241
Signed 1255
Sent to the governor.....1249

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216—By Smith of Mitchell. To amend chapter eighty (80) of the acts of the Thirtieth General Assembly in regard to the admission of patients in hospitals for inebriates.
Introduced and referred..... 404
Reported 449
Considered 533
Lost on passage..... 534
Motions to reconsider filed.. 536
Reconsidered and amended.. 549-550
Passed 550
Passed House.....1131
Passed on file.....1135
Enrolled 1205, 1206
Signed 1204
Sent to the governor.....1253
217—By Saunders. To provide for the participation of the State of Iowa in the Jamestown Tercentennial Exposition, to be held on or near the waters of Hampton roads, in the state of Virginia, in the year nineteen hundred seven, in commemoration of the first permanent settlement made in the United States, by English speaking people in the year sixteen hundred seven.
Introduced and referred.... 409
218—By Courtright. To amend section eight hundred fifty-five (855) of the code, relative to park commissioners and their powers.
Introduced and referred..... 409
Reported 466
*Passed 653-654
Amended and passed.....1061
Passed on file.....1064
Senate concurs.....1065
Enrolled 1147, 1148
Signed 1151
Sent to the governor.....1157
219—By Courtright. To amend section five thousand forty (5040) of the code, relative to breach of the Sabbath.
Introduced and referred..... 409
Reported unfavorably..... 874
Indefinitely postponed..... 874
220—By Stuckslager. Amendatory to chapter six (6), title three (3), of the code, extending the jurisdiction of Superior Courts in cities which are not county seats, and which have now, or may hereafter have, a population of twenty-five thousand or more; providing for changes of venue from superior courts in such cities; providing for trial by jury in superior courts in such cities, providing the number of jurors in such courts in such cities and the manner of their selection; providing the manner of making judgments of such courts in such cities lieus upon real estate; providing that sales of real estate may be made on process issued out of such courts in such cities; providing for the recording of such sales and the execution of deeds made pursuant to such sales; providing that the filing of petitions in such courts in such cities which affect real estate shall charge third persons with notice of the pendancy of the action upon filing a notice of pendancy; providing for the salary of the judge of the superior court in such cities; providing for the compensation of the shorthand reporter of such court in such cities; providing that the act shall apply to cities acting under special charter.
Introduced and referred 427
Substitute reported 802
Substitute adopted and passed 994-995
House indefinitely postponed1114
Passed on file 1122-1123
221—By Young of Calhoun. To define vaccination, and relating to public health.
Introduced and referred 427
Reported 453
Re-referred 462
Reported 695
222—By Garst. To amend section five thousand and forty (5040) of the code relative to breach of the Sabbath.
Introduced and referred .. 443
Reported 466
Amended and passed 532-533
Recalled 542
Returned by the House 545
Motions to reconsider filed 549
Reconsidered and re-referred 555
Reported with amendments .730
223—By Courtright. To amend section two hundred twenty -seven (227) of the code, relating to judical districts.
Introduced and referred..... 443
224—By Jackson. To amend the law as it appears in chapter thirty-six (36) of the laws of the Thirtieth General Assembly relating to park commissioners.
Introduced and referred 443
Reported 584

*Erroneously printed. House File No. 218.

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*Amended and passed..... 885
House indefinitely postpones1003
Passed on file 1013
House recalls 1025
Passed on file.....1051
Request of House granted..1067
Passed House 1079
Passed on file 1094
Enrolled 1164-1165
Signed 1167
†Sent to the Governor.....1169

225—By Dowell. To amend section six hundred sixty (660) of the code and to provide for securing to the city interest on public funds, and for bonds with surety to protect against loss.
Introduced and referred 443
Reported with amendments. 584
Amendments adopted 717-718
Re-referred 718
Reported with amendments. 863

226—By Turner. For the protection of dairymen relating to testing milk and cream.
Introduced and referred 443
Reported with amendment .. 841

227—By Young of Lee. For an act to legalize the paving of the alleys in blocks numbers twenty-seven (27), fifty (50), and fifty-one (51) in the city of Keokuk, Iowa.
Introduced and referred..443-444
Reported unfavorably 674
Indefinitely postponed 675

228—By Young of Calhoun. To provide for the regulation of embalming and disposal of dead bodies, and to prevent the use of posions in the pseservation of dead bodies, and for a system of examination, registration and licensing of embalmers, and to impose penalties for the violation of its provision.
Introduced and referred .. 444
Reported 765
House file No. 340 substitute for 1020

229—By Jackson. To amenr section fourty-four hundred eighty five (4485) of the code providing for the cost bonds in justice courts.
Introduced and refererd 444
Reported with amendments 921

230—By Hayward. To repeal section fourteen hundred sixty (1460) of the code relating to the statement by the auditor of state of county treasurers' account with the treasurer of state.
Introduced and referred .. 444
Reported and re-referred ..1099

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231—By Hayward. To repeal section thirteen hundred nine-one (1391) of the code, relative to dilinquent taxes and to enact a substitute therefor.
Introduced and referred .. 444
Reported with amendments. 498
Amendments adopted 844
Passed 844
Passed House 1132
Passed on file 1133
Enrolled 1237,1241
**Signed 1255
Sent to the Governor 1249

232—By Hayward (by request). To pay sundry persons named in this bill for material and labor furnished by them in the erection of the medical hospital of the Iowa State University erected in 1897.
Introduced and referred 444
Recalled from committee .. 953

233—By Brooks. To provide for the increasing or decreasing the capital of banks.
Introduced and referred ... 444
Substitute reported 823

234—By Warren. To fix and define the salary of members of the Board of Control of State Institutions.
Introduced and referred 445
Reported with amendments and re-referred 799
Reported unfavorably 925
Indefinitely postponed 925

235—By Courtright. To regulate and control the sale or disposal of stocks of merchandise in bulk, and to provide a penalty for violation thereof.
Introduced and referred .. 445
Reported 791

236—By Dunham. To amend section four hundred twenty-four (424) of the code, relating to building of county bridges by contract.
Introduced and referred 445
Reported unfavorably 675
Indefinitely postponed 675

237—By Dunham. To amend the law relative to appropriations for the law library as it appears in section twenty-eight hundred eighty-one-e (2881-e), of the supplement to the code.
Introduced and referred.... 445
Reported 466
Passed 635
Passed House 712-713
††Passed on file 720
Enrolled 770
Signed 768
Sent to the Governor 771

*Erroneously printed House File No. 224
†Erroneously printed House File No. 222.
**Erroneously printed Senate File No. 331.
††Erroneously printed House File No. 237.

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238—By Garst. To amend section six hundred forty-nine (649) and six hundred fifty-one (651) of the code, relative to the election of town clerk, and making the office appointive in cities and towns.
Introduced and referred 462
Reported 584
Passed 608
House fails to pass 761
Passed on file 769

239—By Bleakly. To amend the law as it appears in section twenty-four hundred forty- eight (2448) of the code relating to the establishment of saloons within certain distances of specified buildings and places, and to include cemeteries among the places affected by the provisions of said section.
Introduced and referred .. 462
Reported with amendment .. 576
Amendment adopted 829
Passed 829-830
Passed House 930
Passed on file 945
Enrolled 1028, 1029
Signed 1036
Sent to the Governor 1083

240—By Saunders. To revise the law relating to the sentence and commitment of persons convicted of crime and providing for a system of reform and parole and to create the necessary officers therefor, defining their powers and duties, and to fix their compensation, and appropriating the money necessary to carry the same into effect, and to repeal all acts and parts of acts in conflict therewith.
Introduced and referred 462
Substitute reported 723-727
Made a special order 728
Re-referred 773
Reported with amendment .. 792
Ordered printed 793
Consideration postponed ... 810
Substitute and amendment adopted 815-816
Consideration deferred 826
Considered 864-865
Amended 865-866
Lost on passage 866

241—By Smith of Mitchell. To amend section seven hundred sixty-eight (768), of the code relating to the enclosing of street car vestibules.
*Introduced and referred .. 474
Reported 520
Amended and passed 855
House fails to pass 1212
Passed on file 1215

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242—By Young of Calhoun. To legalize conveyances of real property by executors or trustees under foreign wills.
Introduced and referred .. 488
Reported unfavorably 564
Indemnitely postponed 564

243—By Taylor. Providing for assessing mutual telephone companies.
Introduced and referred ... 488
Reported unfavorably 651
Indefinitely postponed 651

244—By Wilson of Fayette. To legalize acknowledgements of instruments in writing heretofore taken by Notaries Public.
Introduced and referred .. 497
Reported 562
Passed 605-606
Amended and passed House 713
Senate concurs 721
Enrolled 770, 771
Signed 768
Sent to the Governor 771

245—By Courtright. To repeal sections 410, 411, 412, 469, of the code, and enact substitutes therefor, to repeal sections 416,417,418, and 419 of the code, all of said sections relating to the board of supervisors, and to repeal all provisions of the code, and all acts and parts of acts of the legislature in conflict with this act.
Introduced and referred .. 497

246—By Dunham. To repeal section twenty two hundred eighty- seven (2287) of the code and chapter seventy-nine (79) of the acts of the Thirtieth General Assembly amending said section and to enact a substitute therefor in regard to the capture and return of patients escaped and the payment of the expenses thereof.
Introduced and referred .. 501
Reported with amendments 618
Amendments adopted 888
Passed 889
Passed House 1130
Passed on file 1136
Enrolled 1205, 1207
Signed 1204
Sent to the Governor 1253

247—By Dunham. To provide for the care and removal to their place of legal settlement of non-resident insane and for the payment of the expenses thereof and repealing section twenty-seven hundred twenty- seven-a-28 (2727-a-28) of the supplement to the code and all acts and parts of acts in conflict with this act.

*Erroneously printed Senate File No. 240.

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Introduced and referred .. 501
Reported with amendments 618
Amendments adopted ..889-890
Passed 890
Passed House 1130
Passed on file 1136
Enrolled 1206, 1207
Signed 1204
Sent to the Governor.....1254

248—By Wilson of Clinton. To amend the law as it appears in section thirteen hundred four (1304) of the code, relating to exemption of personal property from taxation.
Introduced and referred .. 501
Reported unfavorably 562
Indefinitely postponed 829

249—By Hughes. Relating to the rules for admission to the Soldiers' home.
Introduced and referred 501
Substitute reported 615
Substitute adopted and passed 754
Passed House 930
Passed on file 945
Enrolled 1028, 1029
Signed 1036
Sent to the Governor 1083

250—By Dowell. To legalize the making of certain plats made by the county auditors of Iowa and the recording of the same by the county recorders of Iowa and to legalize the description of land in all instruments, conveyances and incumbrances referring thereto.
Introduced and referred 516
Reported with amendment ... 674
Amendment adopted 738-739
Passed 739
Amended and passed House 854
Passed on file 859

251—By Ericson. Authorizing the Executive Council of the State to grant the right of way to the Ft. Dodge, Des Moines and Southern Railway Company over and across section thirty-three (33), township eighty-four (84), range twenty-four (24), and sections twenty-five, (25), four (4), nine (9), ten (10), fourteen (10), townships eighty-three (83), twenty-four (24), west of the fifth principal meridan.
Introduced and referred .. 516
Reported and re-referred .. 841
Substitute reported 1009

252—By Hartshorn. Amendatory of the law as it appears in chapter sixty-eight (68) acts of the Thirtieth (30th) General Assembly of Iowa, relating to levees, ditches, drains and water courses repealing section eighteen (18) nineteen(19) and forty-four (44) of said chapter and enacting substitute therefor and amending other sections of said chapter.
Introduced and referred .. 528
Substitute reported 1016
Substitute referred 1017
Substitute adopted 1170
Passed 1170-1171
Passed House 1217
Passed on file 1220
Enrolled 1239, 1243
Signed 1255
Sent to the Governor....1252

253—By Kinne, (by request). To amend section four hundred sixty-nine (469) of the code, relative to the compensation of members of the board of supervisors.
Introduced and referred 528
Reported and re-referred.806-977

254—By Hartshorn. To amend chapter one of the Twenty-seventh General Assembly relating to the publication of the laws of the state of Iowa.
Introduced and referred 529
Reported 625
Passed 833
Passed House 1070
Passed on file 1076
Enrolled 1164, 1165
Signed 1167
Sent to the Governor 1170

255—By Young of Lee. To legalize certain instruments in writing which were defectively acknowledged.
Introduced and referred 529
Reported unfavorably 563
Indefinitely postponed 563

256—By Taylor. To amend section fifty-five hundred eighty-five (5585) of the code providing for giving the state a change of venue in criminal cases after the defendant has taken a change.
Introduced and referred ... 529
Reported unfavorably 562
Indefinitely postponed . 562

257—By Hughes (by request). Changing the names of the Industrial Schools for Boys at Eldora and the Industrial School for Girls at Mitchellville, prescribing the courses of study at these institutions and appropriating money therefor.
Introduced and referred 539

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258—By Harper. Granting additional powers to cities of the first class in levying taxes and providing means for the making, reconstruction or repair of main sewers, defining main sewers, and making certain parts of the code applicable thereto.
Introduced and referred 542
Reported unfavorably 672
Indefinitely postponed .. 672

259—By Senator Taylor, Senate file No. 259, a bill for an act to amend section thirty-one hundred seventy three (3173) of the code and for the suppression of frequent divorces.
Introduced and referred 542
Reported and re-referred .. 576
Reported unfavorably 619
Indefinitely postponed 619

260—By Senator Dowell, Senate file No. 260, a bill for an act to provide for the consolidation and change of bounderies of school districts in certain cities of the first class, and other purposes incident thereto.
Introduced and referred .. 556
Reported with amendments. 816

261—By Senator Jamison, Senate file No. 261, a bill for an act to authorize the board of trustees of the Iowa State Agricultural College to grant a right of way to the Central Railway Company of Iowa, over and across section thirty-three (33), township eighty-four (84), range twenty-four (24) and sections twenty-five (25), four (4), nine (9), ten (10), fourteen (14), township eighty-three (83), range twenty four (24), west or the fifth principal meridian.
Introduced and referred .. 557
Reported unfavorably 1009
Indefinitely postponed 1009

262—By Saunders. To amend section five thousand seventy-one (5071) of the code in reference to the wearing of the insignia of secret societies by unauthorized persons.
Introduced and referred 557
Reported unfavorably 619
Indefinitely postponed 620

263—By Lewis. Providing for state supervision of private banks.
Introduced and referred..... 560
Reported unfavorably 694
Indefinitely postponed 694

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264—By Newberry. To amend section forty-five hundred forty-seven (4547) of the from Justice Courts.
from Justice Courts.
Introduced and referred 561
Reported unfavorably 620
Indefinitely postponed 620

265—By Lyons. Making an appropriation for the improvement of the water supply of the institution for feeble minded children at Glenwood.
Introduced and referred .. 561

266—By Crossley. To repeal section twenty-nine hundred seventy-two (2972) of the code and enact a substitute therefor and to repeal section forty hundred eleven of the code and enact a substitute therefor, relating to exemptions to the heads of families, residents in this state.
Introduced and referred .. 561
Reported unfavorably 722
Indefinitely postponed 723

267—By Dunham. To amend section one hundred fifty-four (154) of the code, relating to the salary of the Custodian of Public Buildings.
Introduced and referred..576-577
Reported unfavorably 872

268—By Young of Washington. Appropriating money to pay the expenses of the members of the Iowa Shiloh Battlefield Monument Commission, the Iowa Vicksburg Park Monument Commission, the Iowa Lookout Mountain and Missionary Ridge Monument Commission, and the Iowa Andersonville Prison Monument Commission, and their guests, upon a joint visit to the several fields upon which monuments have been erected under their supervision, for the purpose of dedicating the same.
Introduced and referred 579
Reported 671
Substitute offered 746-747
Substitute adopted and passed 747-748
Passed House 950
Passed on file 961
Enrolled 1028, 1029
Signed 1036
Sent to the Governor 1083

269—By Lewis. To define and regulate private banks.
Introduced and referred 579
Reported 673
Lost on passage 895-896

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270—By Saunders. Authorizing the employment of special counsel to assist the Attorney General in certain litigation and making an appropriation therefor.
Introduced and referred579-580
Reported unfavorably 908

271—By Garst. To provide for the holding of district farmers' institutes additional to title (9), chapter three (3) of the code.
Introduced and referred..592-593
Reported with amendment .. 841

272—By Winne. To amend section twenty-two hundred seventy (2270) of the code, relating to settlement of insane patients.
Introduced and referred 593
Reported 722

273—By Winne. To repeal section twenty-seven hundred twenty-seven-a-twenty-eight (2727-a-28) supplement to the code, relating to non-resident insane, and to enact substitute therefor.
Introduced and referred 593
Reported with amendments 722

274—By Gilliland. To amend chapter five(5), of the title twenty-four (24) of the code relating to larceny.
Introduced and referred ... 593
Reported 675
Passed 810
Passed House 1191
Passed on file 1197
Enrolled 1238, 1242
Signed 1255
Sent to the Governor. 1250

275—By Newberry. Making appropriation for the equipment of a laboratory for the office of the Food and Dairy Commissioner.
Introduced and referred .. 593
Reported 670
Passed 753
House indefinitely postpones 992
Passed on file 998

276—By Dunham, for the committee on Suppression of Intemperance. To amend section twenty- four hundred fifty (2450) of the code relating to the sale of intoxicating liquors under the mulct law.
Introduced and placed on calendar. 593
Passed 693
Passed House 949
Passed on file 960
Enrolled 1028, 1029
Signed 1036
Sent to the Governor 1083

277—By Hartshorn. To appropriate the sum of one hundred dollars ($100) to pay E. S. Frank for money advanced by him to the State of Iowa as rent for certain lake beds situated in Wright and Hancock counties, Iowa.
Introduced and referred 601
Reported and re-referred. 801-802
Reported 827
Passed 908-909
Passed House 1131-1132
Passed on file 1135
Enrolled 1205, 1207
Signed 1204
Sent to the Governor 1253

278—By Hayward. To amend the law as it appears in section eleven hundred six (1106), of the supplement to the code, in relation to elections.
Introduced and referred .. 604
Reported unfavorably 908

279—By Harper. Additional to and amendatory of chapter one (1) of title eleven (11) of the code, and the law as it appears in chapter one (1) title eleven (11) of the supplement to the code and chapter seventy-seven (77) of the acts of the Thirtieth General Assembly, relating to the State Military force and Iowa National Guard.
Introduced and referred .. 610
Reported with amendments . 799
Amendments adopted ...846-847
Passed 847-848
Passed House 1027
Passed on file 1052
Enrolled 1146, 1147
Signed 1151
Sent to the Governor 1157

280—By Ericson. Relating to proceedings in criminal offences on information without the intervention of the Grand Jury; additional to chapter one (1) title twenty-five (25) of the code.
Introduced and referred .. 610
Reported unfavorably 677
Indefinitely postponed 678

281—By Young of Calhoun. To legalize the acts and resolutions passed by the Board of Supervisors of Calhoun County, Iowa, allowing certain persons appointed to collect delinquent personal tax, a commission in addition to the five per cent provided by statute.
Introduced and refered 611
Reported 676
Passed 734-735
Passed House 852
Passed on file 858
Enrolled 917, 918
Signed 915
Sent to the Governor 926

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282—By Warren. For the relief of the grantees of John S. Bussey, and for the purpose of having a patent issue in the name of Samuel Kingery for a certain tract of land.
Introduced and referred 611
Reported 873
Passed 1005-1006
Passed House 1179
Passed on file 1216
*Enrolled 1237, 1241
Signed 1253
Sent to the Governor.....1250

283—By Saunders. To amend section thirteen hundred four (1304) of the code, so as to exempt from taxation the accumulations and funds of fraternal beneficiary associations.
Introduced and referred .. 628
†Passed 1120-1121
Passed House 1191
Passed on file 1197
Enrolled 1238, 1241
Signed 1255
Sent to the Governor 1250

284—By Crawford. Making an appropriation for the House of the Good Shepherd at Dubuque, Iowa.
Introduced and referred628-629

285—By Brooks. In relation to a lost, stolen or destroyed note, bond, bill of exchange, draft, certificate of deposit or other evidence of indebtedness and prescribing how action may be brought thereon.
Introduced and referred .. 636
Reported 694
Amended and passed..1155-1156
Passed House 1209
Passed on file 1214
Enrolled 1238, 1242
Signed 1255
**Sent to the Governor....1251

286—By Newberry. To legalize the incorporation of the town of Osterdock in Clayton County, Iowa, and to legalize the election of its officers and all acts done and ordinances passed by the council of said town.
Introduced and referred .. 636
Reported 675
Passed 736
Passed House 853
Passed on file 858
Enrolled 917, 918
Signed 915
Sent to the Governor 926

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287—By Eckles. To appropriate two thousand dollars annually for a period of three years to aid Iowa municipalities in obtaining information of general interest and providing for the publication of the same.
Introduced and referred .. 640

288—By Crawford. To amend section twenty-four hundred thirty-two (2432) of the code providing for the payment of a mulct tax.
Introduced and referred .. 640

289—By Crawford. For the relief of E. Howard Smith and reimburse him for money and labor advanced and expended by him as Commissioner of Iowa for Dubuque county at the World's Fair or Cotton Exposition at New Orleans in 1884-1885.
Introduced and referred .. 640
Reported unfavorably 897
Indefinitely postponed 897

290—By Dunham. To amend section eighteen hundred twenty-five (1825) of the code relating to fraternal beneficial associations.
Introduced and referred 640

291—By Molsberry. To amend section eleven hundred six (1106) of the code, relative to placing names of candidates upon the ballots to be used at general elections.
Introduced and referred 640
Reported 800

292—By Warren. Making an appropriation for the erection and equipment of necessary and additional buildings for the State Hospital for Inebriates at Knoxville.
Introduced and referred..640-641

293—By Saunders. To amend section seven hundred ninety-two (792) of the code so as to provide for the grading of streets at the expense of the abutting property owners.
Introduced and referred .. 655
Reported unfavorably 672
Indefinitely postponed .. 672

*Erroneously printed Senate File No. 262.

†Erronesouly printed House File No. 283.

**Erroneously printed Senate File No. 255.

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294—By Saunders. Appropriating six hundred thirty-eight dollars twenty-five cents for payment of James Brown, for services as second lieutenant while serving unper orders of the Adjutant General of the state of Iowa.
Introduced and referred .. 655
Reported unfavorably 1014
Indefinitely postponed 1014

295—By Jamison. To amend section twelve hundred ninety-three (1293) of the code relative to the publication of the official ballot.
Introduced and referred .. 655
Reported with amendments. 840
Amendments adopted 1100
Passed 1100
Passed House 1190
Passed on file 1196
Enrolled 1238, 1242
*Signed 1255
Sent to the Governor 1250

296—By Stookey. To repeal sections twenty-six hundred twenty-eight (2628), twenty-six hundred twenty-nine (2629), twenty-six hundred thirty (2630), twenty-six hundred thirty-one (2631), twenty-six hundred thirty-three (2633), twenty-six hundred thirty-four (2634), chapter two (2), title thirteen (13) of the code, and the law as it appears in sections twenty-six hundred twenty-nine (2629), twenty-six hundred thirty-a (2630-a), twenty-six hundred thirty-b (2630-b), and twenty-six hundred thirty-four-a (2634-a) chapter two (2), title thirteen (13) of the supplement of the code, and to define the powers and duties of the educational board of examiners and to encourage training in the science and art of teaching.
Introduced and referred655-656
Reported unfavorably 946
Indefinitely postponed 946

297—By Jackson. To amend the law as it appears in section six hundred seventy-nine-a (679-a) of the supplement to the code relating to Board of Police and Fire Commissioners in cities of the first class.
Introduced and referred .. 656
Reported unfavorably 976
Indefinitely postponed 977

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298—By Saunders. For the relief of W. J. McAhren, and making an appropriation of one hundred fifty dollars and ninety cents therefor.
Introduced and referred .. 656
Reported and re-referred .. 689
Reported 792
Passed 880, 881
House fails to pass 1131
Passed on file 1136

299—By Courtright. To amend the law as it appears in section six hundred seventy four (674) of the supplement to the code, relative to the compensation of assessors.
Introduced and referred .. 662
Reported unfavorably 872
Indefinitely postponed 872

300—By Courtright, from the special committee on Tenure of office. To amend section ten hundred seventy-six (1076) of the code, relative to the registartion of voters.
Introduced and placed on calendar 662
Passed 697
Passed House 854
Passed on file 858
Enrolled 917, 918
Signed 915
Sent to the Governor 926

301—By Courtright, from the special committee on Tenure of Office. To amend section twenty-six hundred forty-one (2641) of the code, relative to the reports of the State University.
Introduced and placed on calendar 662
Passed 698
Passed House 853
Passed on file 858
Enrolled 917, 918
Signed 915
Sent to the Governor 927

302—By Courtright, from the special committee on Tenure of Office. To amend the law as it appears in section twenty-six hundred fifty (2650) of the supplement to the code, relative to the State College of Agricultural and Mechanic Arts.
Introduced and placed on calendar 662
Passed 698-699
Amended and passed..... 870
Passed on file 871
Amended and passed House 870
Passed on file 871

*Erroneously printed Senate File No. 259.

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303—By Courtright, from the special committee on Tenure of Office. To amend section twenty-six hundred eighty (2680) of the code, relative to the Normal Schools and the biennial reports to the Governor.
Introduced and placed on calendar 662
Passed 699
Passed House 853
Passed on file 858
*Enrolled 917, 918
Signed 915
Sent to the Governor 927

304—By Courtright, from the special committee on Tenure of Office. To amend section twenty-seven hundred seventeen (2717) of the code, relative to the College for the Blind, and report to the Governor.
Introduced and placed on calendar 662-663
Passed 699-700
Passed House 853
Passed on file 858
Enrolled 917, 918
Signed 915
Sent to the Governor 927

305—By Courtright, from the special committee on Tenure of Office. To amend section twenty-four hundred seventy -eight (2478) of the code, and to amend the law as it appears in section twenty-four hundred eighty-three (2483) of the supplement to the code, relating to mines and mining.
Introduced and placed on calendar 663
Passed 700-701
House indefinitely postpones 820
Passed on file 837

306—By Courtright, from the special committee on Tenure of Office. To amend the law as it appears in section twenty-five hundred fifteen (2515) of the supplement to the code as amended by chapter eighty-eight (88) of the acts of the Thirtieth General Assembly in relation to the Dairy Commissioner, his appointment and term of office.
Introduced and placed on calendar 663
Amended and passed 702-703
Title amended 703
House indefinitely postpones 820
Passed on file 837

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307—By Courtright, from the special committee on Tenure of Office. To amend section twenty-four hundred sixty-nine (2469) and to amend the law as it appears in section twenty-four hundred seventy (2470) of the supplement to the code, relating to the Bureau of Labor Statistics.
Introduced and placed on calendar 663
Passed 702
Amended and passed House 870
Passed on file 871
Senate refuses to concur...1198
House recedes 1231
Passed one file.....1232
Enrolled 1240, 1244
Signed 1255
Sent to the Governor 1252

308—By Courtright, from the special committee on Tenure of Office. To amend sections one (1) and nine (9) of chapter eighty-seven (87) of the acts of the Thirtieth General Assembly in relation to the inspectors of petroleum and its products.
Introduced and placed on calendar 663
Passed 703-704
Amended and passed House 870
Passed on file 871
Senate refuses to concur ..1199
House recedes 1231
Passed on file 1232
**Enrolled 1240, 1243
Signed 1255
Sent to the Governor 1252

309—By Courtright, from the special committee on Tenure of Office. To amend section twenty-six hundred twenty-five (2625) of the code, relative to Superintendent of Public Instruction and his reports.
Introduced and placed on calendar 663
Passed 704-705
Passed House 854
Passed on file 858
Enrolled 917-918
Signed 915
Sent to the Governor 926

310—By Courtright, from the special committee on Tenure of Office. To repeal section one hundred seventeen (117) of the code, and to enact a substitute therefor, relative to the Public Printer and Binder.
Introduced and placed on calendar 664-665
Consideration postponed ... 968

*Erroneously printed Senate File No. 302.
**Erroneously printed Senate File File No. 303.

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311—By Turner. Making an appropriation for the Iowa State College of Agriculture and Mechanic Arts, the State University and the State Normal Schools.
Introduced and referred .. 665

312—By Young of Calhoun. Providing for the creation of a hospital board in cities having a population over twelve thousand five hundred and providing for the construction and maintaining of a hospital therein, and authorizing the creation of an indebtedness thereof, and the levy of a tax upon the property in such cities and towns for the payment of said indebtedness and providing certain conditions under which an indebtedness for this purpose may in cities of the second class exceed one and one-fourth per centum of the actual valuation of property in such cities.
Introduced and referred .. 686
Reported 764

313—By Kinne. To amend section twenty-seven hundred fifty-eight (2758) of the code relative to the qualification of school directors.
Introduced and referred .. 686

314—By Garst. To repeal section thirty-five hundred thirty-eight (3538) of the code, relative to unknown defendants having an interest in real estate, and anacting a substitute in lieu thereof.
Introduced and referred .. 695
*Reported unfavorably 874
Indefinitely postponed 874

315—By Whipple from the committee on Insurance. To provide that life insurance companies may transact health, accident and employers liability insurance.
Introduced and placed on calendar 695
Passed 980
Passed House 1130
Passed on file.....1136
Enrolled 1205, 1206
Signed 1204
Sent to the Governor 1253

316—By Warren. To amend section twenty-seven fifty-eight (2758) of the code relative to the qualification of school directors.
Introduced and considered .. 701
Passed 701-702
Passed House 713
Passed on file 720
Enrolled 730, 731
Signed 717
Sent to the Governor 731

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317—By Hayward from the Ways and Means Committee. To repeal sections twenty-six hundred ninety-two (2692) of the law as it appears in the supplement to the code and to enact a substitute therefor relating to the support of indigent children at the Soldiers' Orphans' Home and the time and manner of certifying expenses to the county auditor and auditor of state and the payment of same.
Introduced and placed on calendar 715
Referred 885, 919

318—By Hayward from the Ways and Means committee. Regulating the manner of keeping accounts by the county auditors with the State institutions or State Hospitals where counties have patients or pupils committed.
Introduced and placed on calendar 715

319—By Hayward from the Ways and Means committee. To repeal setion twenty-seven hundred twenty-six (2726) of the code and to enact a substitute therefor, relating to the expense of inmates of school for the deaf, and the time and manner of certifying the same to the county auditor and the auditor of state, and the payment of the same.
Introduced and placed on calendar 715
Passed 1199-1200
Passed House 1217
Passed on file 1219
Enrolled 1239, 1243
Signed 1255
Sent to the Governor.....1252

320—By Hayward from the Ways and Means committee. To repeal section twenty-two hundred ninety-two (2292) of the code, and to enact a substitute therefor, relating to the expenses of the insane and the time and manner of certifying the same to the county auditor and the auditor of state and payment of same.
Introduced and placed on calendar 715
Passed 1201-1202
Passed House 1217
Passed on file 1219
Enrolled 1237, 1243
Signed 1255
Sent to the Governor 1252

*Erroneously printed House File No. 314.

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321—By Hayward from the Ways and Means committee. To repeal section twenty-six hundred ninety-seven (2697) of the code and enact a substitute therefor, relating to the expense of inmates of the institution for feeble minded children, and the time and manner of certifying the same to the county auditor and the auditor of state, and payment of same.
Introduced and placed on calendar 715-716

322—By Hayward of the Ways and Means committee. To repeal section twenty-seven hundred sixteen (2716) of the code, and to enact a substitute therefor, relating to the expense of inmates of the college for the blind, and specifying the time and manner of certifying the same to the county auditor and the auditor of state, and the payment of same.
Introduced and placed on calendar 716

323—By Crossley. Providing for the nomination, by political parties for organizations of candidates for various offices and the election of delegates to conventions of said political parties or organizations, by a primary election and for the holding of conventions for the nomination of candidates for certain offices by such political parties or organizations.
Introduced and referred 716
Reported with amendments. 861
Made a special order ..868-869
Amendments adopted 910-911
Amended 911-912-913-914
Considered 915-919
Amended 919
Lost on passage 919-920
Bill as amended printed in Journal 931-942

324—By Young of Calhoun. To Amend section twenty-five hundred seventy-eight (2578) of the code, relative to State Board of Medical Examiners, their duties and powers.
Introduced and referred ... 723
Reported 806

325—By Crossley. To establish a State Board of Horticulture, State Park Arboretum and Botanical Garden, and to make appropriation therefor.

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Introduced and referred 731
Reported unfavorably 1015
Indefinitely postponed 1015

326—By Brooks. To repeal sections four hundred fifty-eight (458) and four hundred fifty-nine (459) of the code and to enact a substitute therefor relating to taxation of dogs and injuries to domestic animals.
Introduced and placed on calendar 744

327—By Young of Washington. Making an appropriation to provide an ice and refrigerating plant for the Mt. Pleasant State Hospital.
Introduced and referred 744

328—By Dowell. Conferring power on cities of the first class to regulate and prohibit the emmission of dense smoke from chimneys and smoke stacks.
Introduced and referred ... 756
Reported 816

329—By Brooks. To provide for the payment of certain expenses of indigent patients paroled or discharged from the state hospital for inebriates at Knoxville, and the hospital for female inebriates.
Introduced and referred 757
Reported 798
Passed 904-905
*Passed House 1130
Passed on file 1136
Enrolled 1205, 1206
Signed 1204
Sent to the Governor 1253

330—By Gale. Conferring upon women the right to vote for presidential electors.
Introduced and referred 764
Reported 787

331—By Whipple. To amend the law as it appears in section (310) of the supplement to the code.
Introduced and referred 769
Reported unfavorably 806
Indefinitely postponed 806

332—By Stuckslager. To authorize the executive council to employ artists, have additional pictures painted upon the walls of the Capitol and appropriating the sum of five thousand dollars therefor.
Introduced and referred 786
**Reported 798
Passed 903-904
House fails to pass 1124-1125
Passed on file 1127

*Erroneously printed Senate File No. 339.
**Erroneously printed Senate File No. 343.

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333—By Turner. Appropriating money for the inspection of county and private institutions in which insane persons are kept, and associations, societies and homes receiving friendless children.
Introduced and referred .. 835
Reported 840
Passed 1006-1007
*Passed House 1189
Passed on file 1196
Enrolled 1238, 1241
Signed 1255
Sent to the Governor 1250

334—By Brooks for the committee on Agriculture. To require operators of creameries to pasteurize skimmed milk before delivering the same to any person and providing a penalty for violation thereof.
Introduced and placed on calendar 862
Passed 979
Passed House 1093
Passed on file 1096
Enrolled 1164, 1165
Signed 1167
Sent to the Governor 1170

335—By Gale. To amend section twenty-seven hundred twenty-seven-c (2727-c) of the code relating to salaries of cheif executive of certain state institutions.
Introduced and referred 867
Reported unfavorably 925
Indefinitely postponed 925

336—By Hayward from committee on Ways and Means. To amend section thirteen hundred twenty-two (1322) of the code, relating to the taxation of national, state and savings' banks and the shares of stock therein.
Introduced and placed on calendar 899
Passed 974-975
Passed House 1179
Passed on file 1216
Enrolled 1237, 1240
Signed 1255
Sent to the Governor 1249

337—By Senator Smith of Mitchell for the committee on Railroads. Amending section twenty-one hundred twenty-six (2126) of the code relative to railway rates.
Introduced and placed on calendar 906
Passed 974
Recalled from House 1031
House returns 1037
Reconsidered 1045
Amended and passed 1045
Passed House 1167

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Passed on file 1174
Enrolled 1237, 1240
Signed 1255
Sent to the Governor 1249

338—By Hayward. To amend section two (2) of chapter one hundred six (106) of the acts of the Thirtieth General Assembly in relation to the Iowa Soldiers' Orphans' Home.
Introduced and referred 953

339—By Garst. Making appropriations for the construction, repair, improvement and contingent funds for the State hospitals, penitentiaries, industral schools, institution for the feeble minded, college for the blind, school for the deaf, Iowa Soldiers' Home, and Iowa Soldiers' Orphans' Home.
Introduced and placed on calendar 968

340—By Young of Calhoun. To legalize the acts done and the ordinances and resolutions passed by the town council of Manson, Calhoun county, Iowa.
Introduced and referred 976

341—By Courtright from the committee on Tenure of Office. To repeal section ten hundrde seventy-four (1074) bf the code relative to township trustees, and to enact a substitute therefor.
Introduced and referred .. 978
Indefinitely postponed 1120

342—By Courtright from committee on Tenure of Offiice, To repeal section four hundred eleven (411) of the code relative to the board of supervisors, and to enact a substitute therefor,
Introduced and referred.... 978
Substitute offered.....1111
Substitute adopted 1112
Amended and passed ..1112-1113
Amended and passed House1189
Senate refuses to concur ..1196
House insists 1212
Passed on file 1215
Conference committee appointed 1212-1216
†House adopts report and amendment of conference committee 1254
Enrolled 1240, 1244
Signed 1255
Sent to the Governor 1252

343—By Warren. To amend section twenty-six hundred thirty-four-a (2634-a) of the supplement to the code relative to the expenditures of the educational board of examiners.
Introduced and referred 978

*Erroneously printed Senate File No. 338.
†Erroneously printed Senate File No. 343.

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344—By Garst from the appropriations committee. Making appropriations for the Iowa State College of Agriculture and Mechanic arts, the State University, and the State Normal School.
*Introduced 999
Printed in Journal....999-1000

345—By Courtright. To amend section twenty-seven hundred twenty-nine (2729), relative to terms of office of trustees of county high schools.
Introduced and referred 1013
Passed 1115-1116
†Passed House 1190
Passed on file 1197
Enrolled 1238, 1241
Signed 1255
Sent to the Governor 1250

346—By Jones. Legalizing a special election held at Oskaloosa, Mahaska county, Iowa, on the sixteenth day of August 1905, for the purpose of voting a tax of five per centum on the assessed valuation of the property of said city in aid of the Oskaloosa and Buxton Electric Railway Company, etc.
Introduced and referred 1049

347—By Courtright. To amend the law as it appears in section twenty hundred twenty-six 2026) of the supplement to the code, relating to street railways over highways.
Introduced and referred 1056
Passed 1109-1110
Passed House 1131
Passed on file 1135
Enrolled 1205, 1206
Signed 1204
Sent to the Governor 1253

348—By Maytag. Making appropriations for the benefit of the Benedict Home at Des Moines, the Florence Crittenden Home, the Boys and Girls Home, and the House of the Good Shepherd at Sioux City, and the Dubuque Rescue Home and the House of the Good Shepherd at Dubuque, and providing for the method of disbursement and against future appropriations of this kind.
Introduced and passed on file1067
Passed 1073-1074
Passed House 1190
Passed on file 1196

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††Enrolled 1238-1242
Signed 1255
**Sent to the Governor....1250

349—By Bruce. To amend section eight hundred one (801) of the code relating to street improvements, sewers and preliminary notices of sewer improvements.
Introduced and referred....1071
Passed 1121-1122
Passed House 1209
Passed on file 1214
Enrolled 1238, 1242
Signed 1255
Sent to the Governor 1251

350—By Stookey. To legalize the submission to the voters of the city of Creston, Iowa, on the question whether an ordinance entitled "an ordinance authorizing the Des Moines, Winterset and Creston Electric Railway Company to construct, maintain and operate, by electric or other power than steam, street and interunban railways in, across, over and along the streets of the city of Creston, Iowa, and defining the powers and duties of said Company" should be approved and adopted.
Introduced and referred ..1071
Considered 1125
Amended and passed 1126
Title amended 1126-1127
Passed House 1189
Passed on file 1196
Enrolled 1239, 1242
Signed 1255
Sent to the Governor 1251

351—By Crossley. To legalize the submission to the voters of the town of Macksburg, Iowa, of the question whether an ordinance entitled "An ordinance authorizing the Des Moines, Winterset Creston Electric Railway Company to construct, maintain and operate, by electric or other power than steam, street and interurban railway in, across, over and along the streets of the town of Macksburg, Iowa, and defining the powers and duties of said Company," should be approved and adopted.
Introduced and referred ..1071

*Erroneously printed Senate File No. 343.
†Erroneously printed Senate File No. 356.
††Erroneously printed Senate File No. 343.
**Erroneously printed Senate File No. 346.

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352—By Saunders from committee on Tenure of Office. To repeal the law as it appears in section two hundred fifty-six-a (256-a) of the supplement to the code relating to the election and terms of Judges of the Superior court and enacting a subetitute therefor.
Introduced and referred 1087
Passed 1153
Passed House 1212
Passed on file 1215
Enrolled 1239, 1243
Signed 1255
Sent to the Governor 1251

353—By Courtright. To amend section seventeen hundred nine (1709) and seventeen hundred ten (1710) of the supplement to the code as amended by the acts of the Thirty-first General Assembly relative to insurance other than life.
Introduced and referred 1087
Passed 1107-1108
Passed House.....1190-1191
Passed on file 1197
Enrolled 1237, 1241
Signed 1255
Sent to the Governor 1250

354—By Bruce. To apportion the state into Senatorial Districts and declare the ratio of representation.
Introduced 1089
Referred 1092-1093
Made a special order 1138
Substitute offered 1159
Substitute adopted 1162
Passed 1162-1163
Explanation of vote.....1163
Passed House 1216

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Passed on file 1219
Enrolled 1240, 1243
Signed 1255
Sent to the Governor 1252

355—By Jamison. To amend section seven hundred seventy-six (776) of the code relating to submission to electors.
Introduced and referred 1138

356—By Jamison. To amend section seven hundred twenty-one (721) of the code relating to the submissions to electors.
Introduced and referred 1138

357—By Warren, (by request). Defining certain duties and powers of stockholders and directors of corporations for pecuniary profit organized under the laws of this State being an act amendatory to chapter one (1) of title nine (9) of the code.
Introduced and referred ..1159
Amended 1177
Lost on passage 1178

358—By Garst from the Appropriation committee. To make appropriations for the payment of State and judical officers, State and other expenses.
Introduced 1179
Printed in Journal ..1179-1186
Amended 1209-1210
Passed 1210-1211
Passed House.....1216-1217
Passed on file 1219
Enrolled 1240, 1243
Signed 1255
*Sent to the Governor 1252

*Erroneously printed Senate File No. 353.

SENATE JOINT RESOLUTIONS.

No. Page.

1—By Smith of Mitchell. Relating to selection of additional employes of the Thirty-first General Assembly, fixing their compensation and defining their duties.
Introduced 57
Passed 58
Passed House 60
Passed on file 61
Enrolled 110
Signed 93
Sent to the Governor 117

2—By Gale. Proposing amendments to the constitution of Iowa relative to suffrage and to provide for its reference and publication.
Introduced and referred 108

3—By Senator Lewis, directing the Governor of the State

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of Iowa to invite the Governors of the several states to name representatives to an interstate convention, to be held at Des Moines, Iowa, or elsewhere, for the purpose of securing such action on the part of the several states as will result in a constitutional convention for the proposal of an amendment to the constitution providing for the election of United States Senators by a direct vote, and making an appropriation for the expenses of calling the same.
Introduced and referred .. 261
Senate File No. 194.
reported as a substitute.... 349
Considered and amended
.....478-479-480

No. Page,
Passed 481
Passed House 653
Passed on file 667
Enrolled 690
Signed 692
Sent to the Governor 710

4—By Senator Dowell, joint resolution No. 4, a joint resolution setting aside room twenty-seven (27) in the State Capitol Building for use of newspaper publishers, reporters and correspondents.
Introduced and referred 716
Reported 843
Amended and passed 896-897
Amended and passed House 962
Senate refuses to concur965-966
House recedes 991

No. Page
Enrolled 1147, 1148
Signed 1152
Sent to the Governor.....1158

5—By Hayward from committee on Retrenchment and Reform. Fixing the number and compensation of employes in the departments of state at the seat of government.
Introduced 1041
Printed in Journal.....1041-1044
Amended 1104
Considered 1105
Amended and passed 1106
Passed House 1189
Passed on file 1196
Enrolled 1239, 1242
Signed 1255
Sent to the Governor 1251

SENATE CONCURRENT RESOLUTIONS.

By Dowell. To grant extension of time in which to report to joint committee on investigation of indeterminate sentence and reformatory systems. Offered, 8; adopted, 9; House concurs, 51; passed on file, 52

By Dowell. To appoint joint committee on arrangements for governors reception. Offered and adopted, 39; House concurs, 51; passed on file52

By Molsberry. To appoint joint committee to investigate insurance companies in Iowa. Offered, 43; amendment offered, 146; referred 146,147.

By Young of Calhoun. Relative to printing 15,000 copies of governor's message in pamphlet form. Offered 45; committee appointed to ascertain number needed, 49; committee reported extra number not needed 74, report adopted 74.

By Maytag. To appoint joint committee to visit state institutions. Offered, 49; adopted, 50; House concurs, 52; passed on file,52.

By Smith of Mitchell. Relative to printing 4,000 copies of the report of the joint committee to investigate the state Educational institutions. Offered and adopted, 45; House concurs, 51; Passed on file, 52.

By Lewis. To appoint joint committee to arrange program for a joint session to be held on the 74th birthday of ExGovernor William Larrabee, to invite Governor and Mrs. Larrabee, and the present and the former governors and their wives to attend. Offered, 69; adopted, 70; House concurs, 70; passed on file, 71.

By Ericson. Relative to the turning of the unexpended balances of the Louisiana Purchase Exposition appropriation into the state treasury. Offered, 116; adopted, 124; House concurs, 129; passed on file 133.

By Courtright. Relative to holding joint convention to elect state printer and binder, and certain regents and trustees. Offered, 187; adopted, 219; House concurs, 246; passed on file, 249.

By Harper. Memorializing Iowa members of congress to favor the enactment of the Hepburn Pure Food bill. Offered, 262; amended and adopted, 262-263; House concurs, 490;passed on file, 501.

By Taylor. To appoint joint committee to draft resolutions on life and services of Edward J. Gualt. Offered and adopted, 280; House concurs, 321; passed on file, 323.

By Elerick. To congratulate George Schramm over his nintieth birthday. Offered, 314; adopted, 315; House concurs, 344; passed on file, 348.

By Young of Lee. To appoint joint committee to draft resolutions on life and services of William G. Kent. Offered, 330; adopted, 331; House concurs, 345; passed on file 348.

By Hayward. Memorializing Iowa members of congress to aid in securing appropriation to improve upper Mississippi river. Offered, 384; adopted, 405.

By Gilliland. Calling on Governor Cummins to communicate in writing how money is being used to defeat the primary bill,etc. Offered 438; adopted, 472; House concurs 665; passed on file, 667.

By Newberry. Authorizing secretary of state to publish 5,000 copies of pure food law in pamphlet form. Offered and adopted, 446; House concurs, 572; passed on file,581.

By Courtright. Directing secretary of state to furnish codes, code supplements and session laws to certain officers of House and Senate. Offered, 447; adopted, 475,476; House concurs, 492; passed on file, 502.

By Smith of Mitchell. Relative to temporary adjournment. Offered, 475; adopted, 479; House concurs, 492; passed on file, 502.

By Crawford. To appoint joint committee to attend funeral of Hon. David B. Henderson. Offered and adopted, 504; House amends and concurs, 516; passed on file,517; Senate concurs,517.

By Crawford. Relative to floral offering for funeral of Hon. David B. Henderson. Offered and adopted, 524; House concurs, 530; passed on file,532.

By special Committee appointed to attend funeral of Hon. David B. Henderson. Relative to holding joint session to commemorate life, character and services of Hon. David B. Henderson, and reporting program for the joint session. Offered, 546; adopted, 547; House concurs, 571; passed on file, 581.

By Lambert. Relative to printing and binding of the rules of the Thirty-first General Assembly. Offered and adopted, 593; House concurs, 613; passed on file, 643.

By Maytag. Printing of additional copies of the House and Senate calendars. Offered and adopted: 611 House concurs, 711; passed on file, 720.

By Lewis. Relative to final adjournment. Offered, 602; Amended and adopted, 795,796. Motion to reconsider and motion to lay the motion to reconsider on the table not carried, 796,797; Motion to reconsider filed, 802; motion to reconsider withdrawn, 876; House concurs, 1129; passed on file, 1137.

By Hayward on behalf of committee on Retrenchment and reform. Relative to withdrawing the report of the State Board of Health from the state printer. Offered and adopted, 796; House concurs, 811; passed on file, 812.

By Courtright from Committee on Federal relations. Memorializing congress to call a constitutional convention to propose an amendment to the constitution to prohibit polygamy. Offered and adopted, 984; House concurs, 1070; passed on file, 1076.

By Ericson. Directing House and Senate Standing Committee on Public Buildings to consider plans and estimates for new buildings at the educational institutions. Offered, 1098.

By Gale. Directing executive council to authorize examination of 1905 census returns by certain parties. Offered,1166.

By Turner. Inviting President Roosevelt to visit Iowa during the reunion of the Army of the Philippines. Adopted, 1012; House concurs, 1060; passed on file, 1064.

HOUSE BILLS.

RECEPTION AND ACTION.

H. F. Page.

H. F.

2—To legalize special election of the City of Clinton on March 28th, 1901, granting certain rights to the Clinton Light and Coke Company.
Received 115
*Referred 116-117
Reported 147
Passed 178
Enrolled 247
Signed 253

5—To amend sections seventeen hundred nine (1709) and seventeen hundred ten (1710) supplement to the code relative to insurance other than life.
Received 343
Referred 347
Reported with amendments. 403
Recalled by committee 463
Reported with amendments 733
Amendments adopted 812-813
Passed 813

H. F. Page

Title amended 814
House concurs 854
Passed on file 859
*Signed 957
Enrolled 971
*Erroneously printed Senate File No. 5.

11—Providing for placing a statue in bronze of Samuel J. Kirkwood, ex-Governor of Iowa, in the National Statuary Hall in the Capitol Building at Washington, D. C. and appropriating money to pay therefor.
Received 270
Referred 271-272
Reported 953
Considered 953
Extract from address of Major Ira J. Alder printed in journal 954
Passed 955
Enrolled 1030
Signed 1036

*Wrongly printed Senate File No. 2.

H. F. Page.
12—Relative to the time of bringing action against the estates of decedents.
Received 170
Referred 173
Reported 393
Passed 567
Enrolled 636, 637
Signed 633
15—To provide for the working or smoothing public highways by the use of the split-log or roaddrag and for compensation therefor.
Received 244
Referred 248
Reported with amendment .. 265
Amended and passed 276
House concurs 321
Passed on file 323
Enrolled 325
Signed 332
16—Amendatory to and additional to the law as it appears in title twelve (12), of chapter nineteen-a (19-a), repealing section twenty-six hundred-i (2600-i) and enacting a substitute therefor and amending section twenty-six hundred-h (2600-h), of the supplement to the code relating to the practice of dentistry, recognizing certificates of dental examiners of other states and territories and providing for certificates of removal of dentists from the state.
Received 543
Referred 559
Reported 617
Passed 749-750
*Signed 957
Enrolled 972
17—To amend chapter two (2) title eight (8) of the supplement relative to township trustees, the election, duties and compensation of road superintendents, the division and consolidation of road districts and the collection of property road tax.
Received 787
Referred 797
19—To regulate the use and sale of fire crackers, toy pistols and other explosives.
Received 398
Referred 412
Reported with amendments. 921
23—Providing limitations for the commencement of actions relative to real property.
Received 169
Referred 172
Repored with amendments392-393
Amendments adopted 566
Consideration deferred 567
Amended and passed 624
House concurs 761
Passed on file 769
Enrolled 789
Signed 790
25—Making it a misdemeanor for the unlawfully omitting to provide for wife or child.
Received 169
Referred 173
Reported unfavorably 203
Indefinitely postponed 203
26—To repeal chapter seventy four (74) of the laws of the Thirtieth General Assembly relating to common carriers and additional to section two thousand seventy-four (2074) of the code and to provide a substitute therefor.
Received 399
Referred 413
Reported 519
Passed 746
*Signed 957
Enrolled 972
27—To amend section eighteen hundred fifty (1850) of the code relating to investments of funds of Savings Banks.
Received 226
Referred 232
Reported unfavorably 930
Indefinitely postponed 930
28—To legalize the incorporation of the town of Elkhart, Polk county, Iowa, the election of its officers, the passage and record of its ordinances and resolutions and all actions done by the Council of said town.
Received 107
Referred 109
Reported 117
Considered 117
Passed 118
Enrolled 247
Signed 253
30—To prevent hazing at any of the colleges or high schools in this state.
Received 170
Referred 173
Reported unfavorably 374
Indefinitely postponed 374
32—To amend chapter ten (10) of title four (4) of the code relative to township officers.
Received 170
Referred 173
Substitute reported 350-351
Substitute adopted 401
Passed 401
House concurs.....438, 929
Passed on file.....447, 945
Enrolled 484
Signed 481

*Erroneously printed Senate File
*Erroneously printed Senate File

H. F. Page.
36—Providing that operators of mines shall furnish shot firers in mines where shooting and blasting is done (additional to chapter nine (9), title twelve (12) of the supplement to the code), and to repeal section twenty-four hundred ninety-five-b (2495-b) of the supplement of the code.
Received 587
Referred 594
Reported unfavorably 901
Reported for passage by minority 901
Resolution ordering Sifting committee to report bill introduced 1156
37—To legalize the incorporation of the town of Lidderdale, Carroll county, Iowa, the election of its officers, the passage of its ordinances and resolutions and all its acts done by the council of said town.
Received 115
Referred 117
Reported 135
Considered 141
Passed 142
Enrolled 247
Signed 253
39—To amend section fifteen hundred thirty (1530) of the supplement to the code, giving boards of supervisors power to levy additional mill.
Received 520
Referred 531
Reported with amendment .. 582
Amendment adopted 882
Amended and passed 882-883
House concurs 953
Passed on file 965
Enrolled 1030
Signed 1036
43—To amend section twenty-three hundred ninety-four (2394) of the code relating to request to purchase intoxicating liquors.
Received 271
Referred 272
Reported unfavorably 402
Indefinitely postponed 402
45—To amend section twenty-four hundred eighty-nine-c (2489-c) of the supplement to the code relating to compensation of the Board of Examiners of mine foremen, pit bosses, and hoisting engineers.
Received 552
Referred 558
*Reported unfavorably 926
Indefinitely postponed 926
47—To amend section ten hundred seventy-six (1076), in chapter two (2) of title six (6) of the code, relating to the registration of voters.
Received 131
Referred 135
Reported with amendments. 191
Amended and passed 209-210
House concurs 246
Passed on file 250
Enrolled 260
Signed 260
49—To amend section two thousand five hundred seventy-six (2576) of the code so as to change the dates of the meetings of the State Board of Medical Examiners.
Received 226
Referred 232
Reported unfavorably 324
Indefinitely postponed 324
51—To amend section eighteen hundred eighty nine (1889) of the supplement to the code relative to loan and trust companies.
Received 226
Referred 232
Substitute reported 822
Reported with amendments.1088
Substitute adopted 1108
Amendments adopted 1109
Passed 1109
House concurs 1173
Passed on file 1175
Enrolled 1246
Signed 1255
52—To repeal section one hundred thirty-seven (137) of the code, relative to the publication and distribution of the proceedings of the Iowa State Teachers' Association and to enact a substitute therefor.
Received 245
Referred 249
Reported with amendments.. 490
Amendment adopted 843
Consideration deferred 843
Amended and passed 852
House concurs..... 878
Passed on file 899
Enrolled 972
**Signed 957
53—To amend section three hundred eight (308) of supplement to the code relating to the compensation of county attorney.
Received 571
Referred 580
Reported 925
Passed 1114-1115
Enrolled 1244
Signed 1255
57—To amend section eighteen hundred and six (1806) of the code in relation to the investment of funds of life insurance companies and associations.
Received 130
Referred 134
Substitute reported.....372, 373

*Erroneously printed House File No. 48.
**Erroneously printed Senate File

H. F. Page.
Substitute adopted 542-543
Amended and passed 543
House concurs 570
Passed on file 580
Enrolled 637
Signed 633
58—To amend section eighteen hundred and fifty (1850) of the code in relation to the investment of funds of savings banks.
Received 130
Referred 134
Reported 454
Passed 608
Enrolled 654
Signed 682
59—To amend section twenty-five hundred sixty-seven (2567) of the code so as to include the reporting of divorces and to change the time of reporting marriages and divorces to the State Board of Health.
Received 244
Referred 248
Reported 324
Passed 396
Enrolled 455
Signed 446
64—Making an appropriation for the Florence Crittenden Home at Sioux City, Iowa.
Received 530
Referred 531
66—Providing for punishment for the injury or distruction of sidewalks (additional to chapter four) of the title twenty-four (24) of the code.
Received 131
Referred 134
Reported 300
Amended and passed 332
House concurs 344
Passed on file 347-348
Enrolled 455
Signed 446
69—Making appropriation for the benefit of the Industrial School for Boys at Eldora.
Received 246
Referred 249
Recalled by the House..... 253
Request granted 260-261
71—To amend section two hundred and fifteen (215) of the code relative to the distribution of reports of the Supreme Court.
Received 128
Referred 133
Reported unfavorably 189
Indefinitely postponed 224
72—To legalize the incorporation of the town of Dow City, Iowa, the election of its officers, the acts done and ordinances and resolutions passed by the Council of town and to define the limits thereof.
Received 129
Referred 134
Reported with amendment .. 148

H. F. Page.
Amended and passed 211
House concurs.....246, 929
Passed on file 250
Enrolled 325
Signed 322
74—To regulate the employment of child labor and to provide for the enforcement thereof, additional to chapter eight (8) title twelve (12) of the code.
Received 445
Referred 448
Substitute reported 621-623
Made a special order 623
Substitute adopted 656
Considered 656.-657-658
Amended 658
Considered 659
Passed 660
Motion to reconsider laid on table 660
House refuses to concur ... 712
Senate insists and orders appointment of conference committee 732
Conference committee appointed 732, 835
Passed on file 837
House adopts report of conference committee 1038
Conference committee reports amendments 1046
Considered and adopted1047-1048
Passed 1048-1049
Enrolled 1150
Signed 1152
75—To provide for the prevention of tuberculosis and for the establishment, location, erection and operation of a state sanitarium for the treatment of persons having incipient pulmonary tuberculosis and making appropriations therefor, and repealing acts in conflict herewith.
Received 951
Referred 964
Reported 1080
Passed 1080-1081
Enrolled 1244
Signed 1255
76—To amend section five thousand four hundred and twenty-four (5424) of the code with reference to granting new trials in criminal cases on account of newly discovered evidence.
Received 169
Referred 173
Reported with amendments. 188
Considered and re-referred.. 224
Reported unfavorably 232
Report not adopted 255
Amended and re-referred... 256
83—To repeal section forty-six hundred and thirty-three (4633) of the code providing for recording in the county recorders' offices and to enact a substitute therefor.
Received 169

H. F, Page.
Referred 173
Reported with amendment .. 190
Amended and passed ..196-197
House concurs 246
Passed on file 249
Enrolled 260
Signed 260

86—To require and regulate the registration of births and deaths in the State of Iowa and to repeal sections twenty-five hundred sixty-six (2566) and twenty-five sixty-seven (2567) of the code, and to repeal chapter one hundred (100) laws of the Thirtieth General Assembly.
Received 653
Referred 666
Reported 695
*Re-referred 772
Reported with amendment .. 827
Amendment adopted 1001
Passed 1002
House concurs 1026
Passed on file 1052
Enrolled 1150
Signed 1152

87—Authorizing and empowering the Governor or his successors in office to execute, acknowledge and deliver instruments of conveyance to the present owners or their grantors of the north-east quarter of section seventeen (17), township ninety-two (92) north, range forty-five (45) west of the fifth principal meridan, Plymouth county, Iowa, and for the purpose of correcting the titles thereto.
Received 131
Referred 134
Reported 203
Passed 253-254
Enrolled 325
Signed 332

89—To legalize the organization of the Independent school district of Whiting, Monona county, Iowa, and the acts of its Boards of Directors.
Received 131
Referred 135
Reported 149
Passed 179-180
Enrolled 247
Signed 253

90—Making an appropriation for the Dubupue Rescue House at Dubuque, Iowa.
Received 345
Referred 348

H. F. Page.
91—Making an appropriation for the Department of Agriculture for the erection of a permanent steel amphitheater on the State Fair grounds.
Received 869
Referred 871
Reported unfavorably 1072
Indefinitely postponed.1072-1073

96—Making an appropriation to defray the expenses of the reception tendered the Governor by the Thirty-first General Assembly.
Received 129
Referred 134
Reported 236
Passed 239
Enrolled 325
Signed 332

97—Appropriating fifty dollars ($50.00) for the purpose of repairing the Soldiers' Orphans' monument at Cedar Falls and inscribing the names of deceased Soldiers' Orphans thereon.
Received 245
Referred 249
Reported 416
Passed 554-555
Enrolled 637
Signed 633

98—Making an appropriation for the purchase of twenty-five hundred Railroad Commissioners official maps to be distributed by the members of the General Assembly and Railroad Commissioners.
Received 399
Referred 412
Passed 419-420
Enrolled 484
Signed 481

99—To legalize the general taxes of special charter cities.
Received 199
Referred 202
Reported unfavorably 923

100—Punishing any person who shall ask, request or solicit another to have carnal knowledge with any female, for consideration or otherwise.
Received 245
Referred 249
Reported 675
Passed 930-931
Enrolled 1030
Signed 1036

101—Making an appropriation for the Benedict Home at Des Moines, Iowa.
Received 530
Referred 531

*Erroneously printed House File No. 186.

H. F. Page.
102—Legalizing the incorporation of the Postville Cemetery Association and the acts and proceedings thereof.
Received 169
Referred 172-173
Reported 190
Passed 224-225
Enrolled 325
Signed 332

103—Relating to the manner of serving notice or process on corporations organized under the laws of Iowa but having no resident officers on whom service may be had.
Received 343
Referred 347
Substitute reported 875
Substitute adopted 1003
Passed 1004
House concurs 1025
Passed on file 1051
House further amends and passes 1080
Senate concurs 1095
Enrolled 1244
Signed 1255

105—To amend section four thousand nine hundred thirty-eight (4938) of the code and to make provision for the penalty for a second offense.
Received 198
Referred 202
Reported unfavorably 234
Indefinitely postponed 256

107—To amend section nine hundred seventy- five of the code relating to delinquent taxes in cities under special charter.
Received 294
Referred 297
Reported 455
Passed 627, 628
Enrolled 654
Signed 682

109—To amend title seventeen (17) chapter four (4) of the code relative to the descent of real property requiring certain things in final reports of administrators, executors, guardians and trustees, and in decrees approving same and providing for the recording of the decrees in any county wherein the realty is situated.
Received 270
Referred 272
Reported unfavorably 922

111—To amend the law as it appears in section forty-nine-hundred ninety-nine-c (4999-c) of the supplement to the code relating to the safe guarding of machinery.
Received 425
Referred 428
Reported unfavorably 674
Indefinitely postponed 674

112—To amend section ten hundred fifteen (1015) of the code relating to lien of taxes in cities under special charter.
Received 226
Referred 231
Reported and re-referred 316
Reported unfavorably 677
Indefinitely postponed 677

114—To amend chapter twelve (12), title eighteen (18) of the code and to determine the priority of certain claims in the distribution of property in the hands of receivers.
Received 226
Referred 231
Reported with amendment..... 465
Amendments adopted 745
Passed 745
House concurs 811, 952
Passed on file 817, 965
Enrolled 972
*Signed 957

115—To amend section twenty-nine hundred forty-one (2941) of the code relative to recording instruments affecting lots in cities and towns or villages in separate books by adding thereto as follows:
Received 225
Referred 231
Reported with amendment..... 299
Amended and passed 331
House concurs 344
Passed on file 348
Enrolled 455
Signed 446

117—To amend section thirty hundred sixty-a-one hundred thirty-two (3060-a-132) of the supplement to the code relating to negotiable instruments.
Received 209
Referred 222
Reported with amendments..... 235
Amended and passed 256-257
House concurs 321
Passed on file 323
Enrolled 325
Signed 332

119—To repeal section thirteen hundred six-b (1306-b) of the supplement to the code, and chapter forty-three (43) of the acts of the Thirtieth General Assembly and to enact a substitute therefor, relating to limit of indebtedness of municipal corporations.
Received 530
Referred 531
Reported with amendments..... 728
Amendments adopted 814

*Erroneously printed Senate File.

H. F. Page.
Passed 814-815
House concurs 864
Passed on file 870
Enrolled 972
*Signed 957

124—To repeal section twenty-four hundred seventy-four (2474) of the code relating to reports and returns to the bureau of labor statistics, and to enact a substitute therefor.
Received 398
Referred 412

126—To amend chapter one hundred one (101), laws of the Thirtieth General Assembly relating to establishing and maintaining a state board of health laboratory at Iowa City.
Received 529
Referred 531
Reported with amendment.. 693
Amended and passed 966-967
House concurs 1025
Pased on file 1050
Enrolled 1149
Signed 1152

128—Providing for the payment of preliminary expenses in connection with drainage districts and making suitable provision for same.
Received 270
Referred 272
Reported with amendment299-300
Amended and passed 337-338
House concurs 344
Passed on file 348
Enrolled 455
Signed 446

129—Providing for the care and permanent preservation of Public Archives, and making an appropriation therefor.
Received 529
Referred 531
Reported with amendment.. 880
Amended and passed ..1000-1001
House concurs 1025
Passed on file 1051
Enrolled 1149
Signed 1152

134—For extension work by the Iowa State College of Agriculture and Mechanic Arts.
Received 952
Considered 962
Substitute for Senate File No. 151 substituted for House File No. 134..... 963
Passed 963
House concurs and amends.1070
Senate concurs 1074-1075
Enrolled 1151
Signed 1152

138—To amend section four thousand eight hundred and twenty-one (4821) of the code relating to hunting on enclosed land.
Received 400
Considered 405
Substituted for Senate File No. 114
Amended and passed 405-406
House concurs.....439, 952
Passed on file.....447. 965
Enrolled 484
Signed 481

141—To amend title sixteen (16) chapter two (2) of the code and chapter one hundred nineteen (119) of the acts of the Thirtieth General Assembly relating to the conveyance of real property where either spouse is insane.
Received 279
Referred 280
Reported with amendment.. 920

146—Appropriating the sum of eight thousand sixty-two and thirty-eight one-hundredths dollars ($8062.38) to be paid to H. W. Tapley and Philip Morgan in settlement of all claims against the State of Iowa by reason of the loss of valuable coins abstracted from the Historical building by an employee of the State.
Received 614
Referred 642
Reported and re-referred .. 898
Reported 956
Passed 957
Enrolled 1031
Signed 1036

153—To amend section seven (7) chapter forty (40) of the acts of the Thirtieth General Assembly of the State of Iowa, relating to primary elections and the manner in which candidates may procure their names to be placed on the primary ticket.
Received 294
Referred 297
Reported 453
Considered 539
Consideration deferred 540
Amended and passed ...574-575
House concurs 952
Passed on file 965
Enrolled 637
Signed 633

167—Relating to fish and game, and making appropriations for the Fish and Game Commission of the State of Iowa.
Received 425
Referred 428
Substitute reported 826
Substitute withdrawn 981
Amended and passed 981-982
House concurs 1024
Passed on file 1051
Enrolled 1149
Signed 1152

*Erroneously printed Senate File.

H. F. Page.
171—To amend section two thousand fifty-two (2052) of the code.
Received 446
Referred 448
Reported with amendments.. 562
Amendments adopted 739-740
Passed 740
House concurs 788
Passed on file 797
Enrolled 972
*Signed 957
175—To amend section thirty hundred forty-seven (3047) of the code relating to the assignment of wages.
Received 425
Referred 428
Reported with amendments.. 618
Amendments adopted 887
Passed 888
House concurs 906
Passed on file 945
Enrolled 1030
Signed 1036
176—To provide for the erection, repair, inprovement and equipment of buildings for the State Normal School.
Received 951
Referred 964-965
Amended and passed ..1084-1085
House refuses to concur 1125
Senate insists 1127-1128
Conference committee appointed 1128-1199
Passed on file.....1215
House adopts report of conference committee 1221
Report of conference committee recommending amendments 1225
Senate concurs 1226
Enrolled 1248
Signed 1255
177—To repeal chapter one hundred eighty-five (185) of the acts of the Thirtieth General Assembly and enact a substitute therefor, relating to the survey, appraisement and sale of abandoned river channels, of the Mississippi and Missouri rivers, and all navigable streams within the state, and all land within such abandoned river channels, and all islands or bars situated in such navigable waters and authorizing the appointment of a commission to ascertain and establish the boundary lines between the state of Iowa and adjoining states.
Received 895
Placed on calendar 901
Passed 1022-1023
Enrolled 1150
Signed 1152
178—Making an appropriation to defray the mileage and expenses of the members of the various committees sent by the Thirty-first General Assembly to visit the several State institutions.
Received 270
Referred 271
Reported 417
Amended and passed 535-536
House concurs 545
Pased on file 560
Enrolled 637
Signed 633
182—Providing for the form of ballot to be used at municipal elections and for manner of nomination by petition for place on such ballot and providing penalties for violation of its provisions and repealing acts inconsistent with its provisions.
Received 1082
Referred 1094
183—To repeal section twenty-nine hundred seventy-two (29-72) of the code and enact a substitute therefor and to repeal section forty hundred eleven (4011) of the code and enact a substitute therefor, relating to exemption to heads of families residents in the state.
Received 630
Referred 641
Reported and re-referred1055-1056
187—To repeal chapter thirty-one (31) of the laws of the Thirtieth General Assembly and to enact a substitute therefor relating to sewers in cities and in incorporated towns.
Received 607
Referred 612
**Reported 805
Passed 1020-1021
Enrolled 1149
Signed 1152
190—To amend sections nineteen hundred sixty-eight (1968), nineteen hundred sixty-nine (1969), nineteen hundred seventy-one (1971) and nineteen hundred seventy-two (1972) of the code relative to the drainage of lead and zinc mines.
Received 384
Referred 392
Reported 596
Passed 621
Enrolled 654
Signed 682
192—To provide for the erection, repairs and equipment of buildings for the State College of Agriculture and Mechanic Arts.

*Erroneously printed Senate File.
**Erroneously printed House File No. 161.

H. F. Page.
Received 951
Referred 963
Amended and passed ..1085-1086
House refuses to concur 1125
Senate insists 1128
Conference committee appointed 1128, 1199
Passed on file 1215
House adopts report of conference committee 1220
Report of conference committee recommending amendments 1222-1223
Senate concurs 1224-1225
Enrolled 1248
Signed 1255

194—To legalize the incorporation of the town of Ionia, Chickasaw county, Iowa, the election of its officers, the passage of the ordinances and resolutions and all acts done by the council of said town.
Received 344
Referred 347
Reported 374
Passed 418-419
Enrolled 484
Signed 481

196—In relation to penalty on unpaid taxes in cities acting under special charters.
Received 481
Referred 488
Reported 672
Passed 893
Enrolled 1030
Signed 1036

197—To repeal sections seventeen hundred and eighty-four-a (1784-a) to seventeen hundred and eighty-four-o, (1784-o) inclusive, supplement to the code, relating to stipulated premium and assessment life insurance associations.
Received 353
Referred 369
Reported with amendments. 467
Amendments adopted 631
Passed 631
House concurs 647
Passed on file 650
Enrolled 655
Signed 682

198—To repeal sections seventeen hundred eighty-four, (17-84) of the supplement of the code, relating to assessment life insurance associations and enact substitute therefor.
Received 353
Referred 369
Reported with amendments. 467
Amendments adopted 633
Passed 633-634
House concurs 653
Passed on file 666
Enrolled 789
Signed 790

H. F. Page.
199—To amend section sixteen hundred eighty-nine, (16-89) of the code relating to mutual insurance companies.
Received 353
Referred 369
Reported 467
Passed 634-635
Enrolled 789
Signed 790

203—To amend section four hundred and ninety-eight (498) of the code requiring county recorders to keep a fee book and make a permanent record of fees charged.
Received 426
Referred 429
Reported 678
Passed 980-981
Enrolled 1149
Signed 1152

206—To indemnify L. H. Fenton for personal injury sustained by him while employed at the State Hospital for the Insane at Mt. Pleasant, Iowa.
Received 613
Referred 641
Reported and re-referred ... 898
Reported 955
Passed 955-956
Enrolled 1031
Signed 1036

207—Providing for a levy of a special tax of one-fifth of a mill on the dollar upon the assessed valuation of the taxable property of the State for the erection, repair and improvement of buildings for the State Univertity of Iowa.
Received 951
Referred 964
Amended and passed ..1081-1082
*House refuses to concur ..1125
Conference committee appointed 1128-1199
Passed on file 1215
House adopts report of conference committee 1221
Report of conference committee recommending amendments 1227
Senate concurs 1228
Enrolled 1249
Signed 1255

208—Relating to the assessment and to taxation of property in special charter and providing that section thirteen hundred five (13-05) of the code shall not apply to such cities.
**Received 399
Referred 412-413
Reported 585
Passed 696-697
Enrolled 789
Signed 790

*Erroneously printed House File No. 107.
**Erroneously printed House File No. 209.

H. F. Page.
209—To encourage the planting of forest and fruit trees in the State of Iowa.
Received 551
Referred 558
Reported and re-referred. 744-745
Reported 801
Passed 1100-1101
Enrolled 1245
Signed 1255
214—To amend section nine hundred two (902) of the code.
Received 553
Referred 559
Reported 565
Passed 732
Enrolled 789
Signed 790
216—To legalize conveyance of real estate by executors, administrators and guardians in certain cases.
Received 692
Referred 719
Reported 873
Lost on passage 1178-1179
217—To repeal the law as it appears in chapter one hundred thirty-six (136) of the acts of the Thirtieth General Assembly and to enact in lieu thereof the following relative to the preservation of life and protection of property and to require the construction of fire escapes on certain buildings and enclosures now constructed or hereafter to be erected, providing the manner of constructing the same and imposing penalties for the violations thereof, additional to chapter ten (10) of title twenty-four (24) of the code relative to offenses against the public health.
Received 587
Referred 594
Reported 729
219—To authorize boards of supervisors to hear and allow claims of damages on account of sheep killed or injured by a dog or dogs and providing for payment of same.
Received 683
Referred 687
Reported unfavorably 1098
Indefinitely postponed..... 1098
225—To amend section twenty-six hundred four (2604) of the code in relation to salary of Commandant of the Iowa Soldiers' Home.
Received 652
Referred 666, 688
Reported 902
Amended and passed ..1154-1155
House concurs 1189

H. F. Page.
Passed on file 1195-1196
Enrolled 1246
Signed 1255
227—To amend chapter sixty-eight (68) of the laws of the Thirtieth General Assembly relative to the establishment of levees, ditches, drains and water courses.
Received 520
Referred 530
Reported 566
Considered 603
Consideration deferred 604
Passed 605
Enrolled 637
Signed 633
229—To amend section twenty-four hundred thirty-nine (2439) of the code, relative to collection of the mulct tax.
Received 615
Referred 642
Reported 676
Passed 969
Enrolled 1031
*Signed 1036
230—To amend section twenty-four hundred three (2403) of the code as set forth in the supplement of 1902, relating to selling or giving to a minor or intoxicated person or persons in the habit of becoming intoxicated, intoxicating liquors.
Received 850
Referred 859
231—Providing that owners of stallions and jacks shall have a lien for the service fee of said animals upon the female served and upon the get thereof; and providing punishment for willful destruction, concealment, sale or other disposition of such female or get during the existence of such lien.
Received 970
Referred 984
244—To amend sections twenty-three (23), fifty-nine (59), five hundred fifty-five (555), twenty-seven hundred fifty-five (2755), twenty-eight hundred twenty-eight (2828), twenty-eight hundred forty-one (2841), eighteen hundred sixty-four (1864), two thousand ninety-three (2093), two hundred thirty-two (232), thirty-three hundred seven (3307), thirty-four hundred three (3403), four thousand twenty-four (4024), three hundred ninety-nine (399), four hundred (400), four hun-

*Erroneously printed House File No. 299.

H. F. Page.

dred forty-six (446), nineteen hundred forty (1940), nineteen hundred forty-four (1944), nineteen hundred eighty-one (1981), twenty-three hundred seventy-two (2372), twenty three hundred seventy-four (2374), six hundred (600), six hundred eight (608), six hundred eleven (611), six hundred fifteen (615), six hundred thirty-three (633), nine hundred nine hundred twenty-six (926), two thousand three (2003), fifty-six hundred twenty six (5626), of the code to amend the law as it appears in section six hundred two (602), of the supplement to the code and to amend section three (3) of chapter one hundred fourteen (114), section (8) of chapter sixty-eight (68), and section eight (8) of chapter forty-three (43) acts of the Thirtieth General Assembly relating to legal publications.
Received 551
Referred 557-558
Reported and re-referred .. 801
Reported unfavorably 874
Indefinitely postponed 874
Reconsideration moved 883
Returned by the House 894
Passed on file 900
Amended and passed ..1142-1143
House concurs 1172
Passed on file 1175
Enrolled 1247
Signed 1255

246—To legalize the incorporation of the town of Jamacia, Guthrie county, Iowa the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the council of said town.
Received 424
Referred 428
Reported with amendment .. 465
Amendments adopted 648
Passed 648
House concurs 653
Passed on file 666
Enrolled 789
Signed 790

250—To amend section fifteen (15) of chapter eighty (80) acts of the Thirtieth General Assembly relating to the State Hospital for Inebriates.

H. F. Page

Received 544
Referred 559
Reported 563
Amended and passed 609
House concurs 647
Passed on file 650
Enrolled 655
Signed 682

253—To prohibit unfair commercial discrimination between different sections, communities or localities or unfair competition and providing penalties therefor.
Received 787
Referred 797
Reported with amendments 907
Amendments adopted 1040
Passed 1040-1041
House concurs 1079
Enrolled 1151
Signed 1152

257—To amend section seventeen hundred nine (1709) of the code and of the supplement to the code relating to insurance.
Received 552
Referred 558
Substitute reported 734
Substitute adopted 844
Passed 845
House concurs 878
Passed on file 900
Enrolled 972
*Signed 957

258—To legalize the appointment of trustees for Cedar township, Linn county, Iowa, by the auditor of said county for the year 1906.
Received 490
Referred 502
Reported 564
Passed 632-633
Enrolled 789
Signed 790

261—To amend section eight hundred ninety-four (894) of the code and to provide for the repair, maintenance and preservation of buildings and improvements upon real estate owned by a city.
Received 571
Referred 580
Reported unfavorably 620
Indefinitely postponed 620

263—In regard to the admission of wives of soldiers to the Soldiers' Home at Marshalltown.
Received 665
Referred 666
Reported with amendments . 924

*Erroneously printed Senate File

H. F. Page.
267—To amend the law as it appears in section twenty-six hundred four (2604) of the supplement to the code relating to officers of the Iowa Soldiers' Home.
Received 684
Referred 687
Reported 764
Passed 1019
Enrolled 1149
Signed 1152
269—To amend section seventeen hundred nine (1709) of the supplement to the code, relative to the insurance of live stock.
Received 491
Placed on calendar 491
Passed 496-497
Signed 534
Enrolled 540
270—To repeal section one thousand seven hundred thirty-seven (1737) of the code *relating to the publication* of certificates of compliance of companies transacting the business of insurance other than life and enacting a substitute therefor.
Received 426
Referred 429
Reported 733-734
Passed 1018
Enrolled 1150
Signed 1152
273—To provide for the assessment of rural and farm *telephone lines.*
Received 951
Referred 963
274—To repeal sections twenty-five hundred (2500) twenty-five hundred one (2501) and twenty-five hunred two (2502) of the code relating to geological surveys and the duties of the State Geologist and to enact a substitute therefor.
Received 712
Referred 719
Reported 800
Amended and passed 967-968
House concurs 1025
Passed on file 1051
Enrolled 1149
Signed 1152
275—To amend section seven hundred twenty-two (722) of the code, relative to the condemnation of property by cities and towns, for the purpose of constructing and maintaining dams across the waters and water courses of the state, in forming reservoirs and sources of water to supply water works or plants.
Received 630
Referred 641
Reported 677
Passed 750-751
*Signed 957
Enrolled 972
277—To amend section thirty-three hundred sixty-six (3366) the code, relative to the *rights of a surviving husband* in property of his deceased wife.
Received 647
Referred 651
Reported 729
280—To amend sections twenty-five hundred seventy-five-c (2575-c), twenty-five hundred seventy-five-d (2575-d), twenty-five hundred seventy-five-e (2575-e) and twenty-five hundred seventy-five-f (2575-f) of chapter sixteen-a (16-a) of the supplement to the code.
Received 552
Referred 558
Reported 583
Passed 884
Enrolled 1030
Signed 1036
281—Fixing the terms upon which electric current other than telegraphic or telephone may be transmitted from place where same in generated to where use is made thereof, along the public highway and across private lands.
Received 712
Referred 720
Reported 804
282—To require an annual apportionment and accounting of surplus of life insurance companies.
Received 962
Referred 966
283—Granting additional powers to cities of the first class in levying taxes and providing means for making reconstruction or repairs of sewers, defining main sewers and making certain parts of the code applicable thereto.
Received 851
Referred 860
Passed 1141
Enrolled 1246
Signed 1255
285—To legalize the special election held in Armstrong, Monday, May 18, A. D. 1903, granting a franchise to the Armstrong Light and Heating Company and all the ordinances, resolu-

*Erroneously printed Senate File

H. F. Page.
tions and acts of said council with reference thereto recited in this act.
Received 520
Referred 531
Reported 563
Passed 738
Enrolled 789
Signed 790

286—To amend section nine hundred-twenty-two (922), nine hundred twenty-three (923) and nine hundred twenty-four (924) of the code relating to the platting of land by the County Auditor.
Received 570
Referred 580
Reported with amendments 672-673
Amendments adopted ...893-894
Passed 894
House concurs 952
Passed on file 965
Enrolled 1031
Signed 1036

288—To reimburse Frank Bristow for injuries sustained while in the employ of the state.
Received 713
Referred 720
Reported and re-referred ..1015
Reported 1078
Passed 1078
Enrolled 1244
Signed 1255

297—Granting a right-of-way through lands owned by the State of Iowa to and about the Iowa State College of Agriculture and Mechanic Arts at Ames, Story county, Iowa, to the Ft. Dodge, Des Moines & Southern Railway Company, its successors or assigns, with certain conditions and conferring upon the executive council of the State of Iowa certain powers in reference thereto.
Received 970
Referred 985
Substitute reported 1087
Passed 1118-1119
House concurs 1172
Passed on file 1174-1175
Enrolled 1244
Signed 1255

299—To amend section fifteen hundred sixty-six-a (1566-a) of the supplement to the code, relating to publication of itemized accounts of township officers.
Received 570
Referred 580
Reported 620
Passed 902-903
Enrolled 1030
Signed 1036

S. F. Page.
301—To amend section twenty-four hundred ninety-four (2494) title eighteen (18) of the code as the same appears in the supplement to the code relating to place of bringing actions.
Received 544
Referred 559
Reported with amendment 564-565
Amendment adopted 856
Passed 856
Title amended 856
*House concurs 877
Passed on file 899
Enrolled 972
**Signed 957

303—To amend the law as it appears in chapter sixty-eight (68) of the acts of the Thirtieth General Assembly, relating to levees, drains, and water courses.
Received 665
Referred 666
Reported unfavorably 840
Indefinitely postponed 840

306—To amend section forty-one hundred fourteen (4114) of the code, relating to notice of appeal.
Received 630
Referred 641
Reported 677
Passed 990
Enrolled 1149
Signed 1152

307—To require Life Preservers and Life Floats to be carried by certain boats and barges used to carry passengers for hire.
Received 607
Referred 612

317—To repeal section seventeen hundred sixty-four 1764) of the code and section thirteen hundred thirty-three-d as the same appears in the supplement to the code and enact a substitute therefor relating to the assessment of taxes on certain insurance companies and associations.
Received 851
Referred 860

318—To legalize the incorporation of the town of Woodbine, Harrison county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the council of said town.
Received 552
Referred 558
Reported 564
Passed 735-736
Enrolled and signed 790

*Erroneously printed Senate File No. 30.
**Erroneously printed Senate File

H. F. Page.
319—To amend section one (1) of chapter eighty-nine (89) of the laws of the Thirtieth General Assembly relating to the work of the State Veterinary Surgeon.
Received 1062
Referred 1066

320—To amend sections twenty-five hundred twenty-nine (2529), twenty-five hundred thirty (2530) and twenty-five hundred thirty-four (2534) of the code, and repeal and enact substitutes for sections twenty-five hundred thirty-three (2533) and twenty-five hundred thirty-eight (2538) thereof relating to the State Veterinary Surgeon.
Received 787
Referred 797
Reported with amendments.1097
Amendments adopted 1098
Re-referred 1098

322—To legalize the incorporation of the town of Yale, Guthrie county, Iowa, the election of its officers, the passage and adoption of its ordinances and resolutions and all acts done by the council of said town.
Received 545
Referred 559
Reported 563
Passed 737-738
Enrolled 789
Signed 790

323—To amend section sixteen hundred fifty-seven-n (1657-n), chapter three (3) of the supplement to the code, relating to the salary of Secretary of Agricultural Society.
*Received 664
Referred 665
Reported 927
Passed 1069
Title amended 1069
Enrolled 1151
Signed 1152

325—To amend section forty eight hundred twenty-two (4822) of the code relating to malicious injury to buildings and fixtures.
Received 544
Referred 559
Reported unfavorably 619
Indefinitely postponed 619
Motion to reconsider filed.. 649
Senate recalls 1017
Returned by House 1060
Passed on file 1064
Reconsidered 1116
Passed 1116
Enrolled 1244
Signed 1255

H. F. Page.
328—To repeal section one hundred twenty-three (123), of the code as the same is found in the supplement to the code, and to enact a substitute therefor, relating to biennial fiscal term.
Received 607
Referred 611-612
Reported with amendment.. 669
Amendment adopted 709
Passed 709-710
House concurs and amends..1027
Passed on file 1052

329—To amend section one hundred twenty-two (122) of the code, relating to biennial reports of officers.
Received 607
Referred 612
Reported with amendment .. 669
Amendment adopted 708
Passed 708-709
House concurs 749
Passed on file 758
Enrolled 790
Signed 790

330—To repeal sections ten hundred fifty-seven (1057), ten hundred sixty-four (1064), ten hundred sixty-five (1065), ten hundred sixty-six (1066), ten hundred seventy (1070) and ten hundred seventy-one (1071) and to enact a substitute therefor relating to the election of officers and the term of office.
Received 630
Referred 641
Reported with amendments 668-669
Amendments adopted 707
Passed 707-708
House refuses to concur ...1026
Passed on file 1051
Senate insists 1140-1141
Conference committee appointed 1141, 1191
House concurs in and adopts conference committee report1191
Considered 1197-1198
Senate concurs and adopts amendments reported by conference committee 1198
Enrolled 1247
Signed 1255

331—To amend section one hundred forty-six (146) of the code relating to the term of office of the Custodian of Public Buildings.
Received 613
Referred 642
Substitute reported 668
Substitute adopted and passed 706-707
House concurs 1026
Passed on file 1052
Enrolled 1150
Signed 1152

*Erroneously printed House File No. 333.

H. F. Page.
332—To amend section ten hundred ninety-three (1903) of the code, relating to election boards.
Received 613
Referred 642
Reported with amendment.. 668
Amendment adopted 705
Passed 705-706
House concurs 749
Passed on file 758
Enrolled 790
Signed 790

334—To repeal section ten hundred seventy-two (1072) of the code and to enact a substitute therefor relating to the term of office of county officers.
Received 664
Referred 666
Reported with amendments.. 977
Amendments adopted 1110
Passed 1110-1111
House concurs 1173
Pased on file 1175-1176
Enrolled 1247
Signed 1255

335—To repeal section sixteen hundred ninety-nine (1699) of the code and to enact a substitute, in relation to investment of funds of insurance companies other than life, and organized under chapter four (4) of the code.
Received 851
Referred 860
Reported unfavorably 925
Indefinitely postponed 925

336—To authorize the Executive Council to convey to Jones county, Iowa, a roadway through the east half of the south west quarter of section thirty-three, (33), township eigthy-five, (85), north of range four (4), west of the fifth principal meridian.
Received 552
Referred 558-559
Reported 728
Amended and passed 828
Recalled from House 867
Motion to reconsider filed.. 867
Returned by House 878
Passed on file 900
Reconsidered 1004
Senate amendments withdrawn 1005
Passed 1005
Enrolled 1151
Signed 1152

338—To secure in matters of religion a free exercise of religious preference and practice to all inmates of state, county and city institutions, maintained for the detention of persons held by commital or confinement in any state, county, or city institutions, whether penal, correctional, charitable or educational, or in any place of confinement maintained and supported by public funds.
Received 812
Referred 818-819
Recalled and re-referred ... 889
Reported 906
Amended and referred to special committee 975
Amended and passed 990-991
House concurs 1026
Passed on file 1052
Enrolled 1150
Signed 1152

340—To provide for the regulation of embalming and disposal of dead bodies, and to provent the use of poisons in the preservation of dead bodies and for a system of examination, registration and licensing of embalmers, and to impose penalties for the violation of its provisions.
Received 850
Referred 860
Substitute for Senate File No. 228 1020
Amended and lost on passage1020
Reconsidered 1021
Lost on passage 1021

341—To appropriate the sum of $441.70 for the relief of Geo. F. Hunt, late ord nance sergeant in the Adjutant General's department, of balance of salary due under joint resolution number nine (9), acts of the Twenty-sixth General Assembly, and directing the manner of payment of such appropriation.
Received 1062
Referred 1066-1067
Reported unfavorably 1221
Report amended and adopted1221
Passed 1222
Enrolled 1248
Signed 1255

344—To re-imburse Charles Youde and G. R. Whitmer, for expenses incurred in the election contest from the Eighteth Representative District of Iowa.
Received 761
Referred 769
Reported 792
*Passed 1153-1154
Enrolled 1247
Signed 1255

345—To amend section nineteen (19) of chapter eighty (80) of the acts or the

*Erroneously printed House File No. 334.

H. F. Page.
Thirtieth General Assembly.
Received 850
Referred 860
Reported 875
357—To apportion the State into Representative Districts and declare the ratio of representation.
Received 1027
Referred 1051
Amended 1143-1144
Passed 1144
*House concurs 1172
Passed on file 1174
Enrolled 1246
Signed 1255
358—To legalize certain instuments executed by corporations affecting the itile to real estate.
Received 683
Referred 687
Reported 804
359—To amend section ten hundred sixty (1060) of the code and to repeal section ten hundred seventy-four (1074) of the code and enact a substitute therefor and relating to elections and terms of township trustees.
Received 993
Referred 998
Amended 1117-1118
Passed 1118
House refuses to concur ..1188
Senate insists 1195
Conference committee appointed 1216-1217
Passed on file 1219-1220
House concurs 1230
Passed on file 1232
Enrolled 1249
Signed 1255
360—To provide for the establishment of a course of practical and scientific instruction and investigation in the art of clay working and ceramics including the manufacture and use of cements and allied industries in the Iowa State College of Agriculture and Mechanic Arts.
Received 993
Referred 999
Passed 1117
Enrolled 1245
Signed 1255
362—To amend section eleven hundred six (1106), supplement to the code, relating to the form of ballot used in elections.
Received 812
Placed on Calendar 819
Amended 1119
Passed 1120
Title amended 1120
House concurs 1172
**Passed on file 1174
H. F. Page.
Enrolled 1247
Signed 1255
364—To repeal section ten hundred sixty-eight (1068) of the code and to enact a substitute therefor in lieu thereof.
Received 664
Referred 665
Substitute reported 977
Substitute adopted 1107
Passed 1107
House refuses to concur ..1188
Senate insists 1195
Conference committee appoined 1216
Passed on file 1219
Report of conference committee recommending amendments 1229
Senate adopts amendments.1230
House concurs 1254
Enrolled 1249
Signed 1255
366—Relative to the transfer of funds raised by townships for the purpose of building public halls additional to chapter ten (10), title four (4) of the code.
Received 811
Referred 818
Reported 916
Amended and passed .1038-1039
House concurs 1103
Passed on file 1123
Enrolled 1245
Signed 1255
368—To repeal the law as it appears in section thirty hundred sixteen (3016) of the supplement to the code, relating to bushels by weight and to enact a substitute therefor.
Received 850
Referred 859
Reported without recommendation 1094
Amended and passed ..1167-1168
House concurs 1188
***Passed on File 1195
Enrolled 1248
Signed 1255
375—To legalize the incorporation of the town of Portsmouth, Shelby county, Iowa, the election of its officers and the adoption of its ordinances and resolutions, and all acts done by the council of said town.
Received 684
Referred 687
Reported 729
Passed 923-924
Enrolled 1030
Signed 1036
376—To legalize the incorporation of the town of Schleswig, Crawford county, Iowa, the

*Erroneously printed House File No. 351.
**Erroneously printed House File No. 361.
***Erroneously printed House File No. 360.

H. F. Page.
election of its officers and all acts done and ordinances passed by the town council of said town.
Received 684
Referred 687
Reported 729
Passed 1017-1018
Enrolled 1150
Signed 1152

378—To repeal section thirty-four hundred fifty-five (3455) of the code relating to failure of actions, by reason of the running of the statute limitations, and to enact a substitute therefor.
Received 821
Referred 839
Reported unfavorably 907

379—To amend the law as it appears in sections fifteen hundred thirty-three (1533) and fifteen hundred forty-a (1540-a) of the supplement to the code, relating to collection of road taxes.
Received 851
Referred 861
Reported 916
Passed 1023-1024
Enrolled 1151
Signed 1152

380—Authorizing the executive council to grant a right of way for a boulevard over and along the east side of southwest quarter of section twenty-seven (27), township seventy-eight (78) range twenty four (24), west of the fifth principal meridian.
Received 788
Referred 797

381—Providing for the creation of a Hospital Board in cities having a population over twelve thousand five hundred, and providing for the construction and maintaining of a hospital therein, and authorizing the creation of an indebtedness therefor and the levy of a tax upon the property in such cities for the payment of said indebtedness, and providing certain conditions under which an indebtedness for this purpose may in cities of the second class exceed one and one-fourth per centum of the actual valuation of property in such cities.
*Received 864
Placed on calendar 870-871
Amended and passed ..1101-1109
House concurs 1199
Passed on file 1196
Enrolled 1245
Signed 1255

H. F, Page.
385—To prohibit and regulate hospitals, hospital wards, institutions and places created for or maintained and used as lying-in or maternity hospitals, or hospital wards or places for the reception, care and treatment of women in labor.
Received 821
Referred 838-839
Reported 922

386—To amend section seven hundred (700) of the supplement to the code, relative to power of corporate bodies to license.
Received 895
Referred 900

387—To amend sections two (2), and five (5) of chapter forty (40) of the acts of the Thirtieth General Assembly relating to primary elections.
Received 811
Referred 818
Reported 947
Passed 1022
Enrolled 1150
Signed 1152

388—To regulate trust companies, to authorize such companies and state and savings banks to act in a fiduciary capacity and to amend section sixteen hundred eleven (1611) of the code relating to corporations.
Received 822
Referred 839
Reported unfavorably 873
Indefinitely postponed 873

389—To amend section twenty-four hundred thirty-two (2432) of the code providing for the payment of a mulct tax.
Received 821
Referred 834
Reported without recommendation 916

390—To repeal section twenty-eight hundred twelve-b (2812-b) of the supplement to the code relating to school district bonds, and to enact a substitute therefor.
Received 869
Referred 871
Amended and passed 1145
House concurs 1188
Passed on file 1195
Enrolled 1246
**Signed 1255

391—To repeal section twenty-seven hundred sixty-three (2763) of the code, relating to notice of special meetings and to enact a substitute therefor.

*Erroneously printed House File No. 311.
**Erroneously printed House File No. 290.

H. F. Page.
Received 869
Referred 872
Amended and passed 1152
House concurs 1188
Passed on file 1195
Enrolled 1246
Signed 1255
392—To amend the law as found in sections twenty-six hundred one (2601) and twenty-six hundred six (2606) of the code relative to admission to the State Soldiers' Home.
Received 851
Referred 860
Reported 924
393—To amend the law as found in section thirteen hundred four (1304) of the supplement to the code, relating to exemption of property from taxation.
Received 850
Referred 859
Reported 924
394—To regulate and validate the submission of questions to be voted on by the electors of cities and towns at regular municipal elections, and to legalize proceedings heretofore had thereunder or thereafter to be had thereunder, the same being additional to title five (5) of the code.
*Received 970
Referred 985
400—Making appropriations to the Iowa State Collede of Agriculture and Mechanic Arts, the State University, and the State Normal School.
Received 1079
Passed 1086-1087
Enrolled 1245
Signed 1255
401—To amend the law as it appears in section fifteen hundred thirty (1530) of the supplement to the code, relative to the levy of taxes for roads and highways.
Received 1003
Referred 1014
403—Making appropriations for the construction, enlargement, equipment, repair, improvement, land and contingent funds for the State Hospitals, Penitentiaries, Industrial Schools, Institution for Feeble Minded Children, College for the Blind, School for the Deaf, Iowa Soldiers' Home and Iowa Soldiers' Orphans' Home and authorizing a change in the use of certain other appropriations heretofore made.
Received 1063
Referred 1064
Passed 1071-1072
Enrolled 1245
Signed 1255
406—To repeal chapter fifty-one (51) of the laws of the Thirtieth General Assembly, relating to the collection of tax on collateral inheritances.
Received 1133
Referred 1134
407—To legalize the election of the mayors, members of the city council and other city officials of the city of Iowa Falls, Hardin county, Iowa, and all the acts thereof during the ten years last past.
Received 906
Referred 945
Passed 1077
Enrolled 1245
Signed 1255
410—Providing for the appoint ment of a committee to investigate and report the feasibility of establishing a twine plant in a penal institution in Iowa, and making an appropriation therefor.
Received 1062
Referred 1067
412—To protect the public health and the health of domestic animals by providing for the inspection of regis tered cattle brought into the State for breeding or dairy purposes.
Received 1027
Referred 1052
Passed 1168-1169
Enrolled 1246
Signed 1255
413—To provide for the sale and use of mileage books or tickets for transportation on railways.
Received 1079
Referred 1096
414—To amend section thirty-three hundred five (3305) of the code, relating to limitation of time for granting letters of administration on estates of decedents.
**Received 1061
Referred 1066
415—To amend sections three hundred fifty-five (355) and three hundred fifty-nine (359) of the code relating to security by bonds and guarantee companies as sureties.
Received 1062
Referred 1066

*Erroneously printed House File No. 84.
**Erroneously printed Senate File No. 414.

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416—To legalize the acts done and the ordinances and resolutions passed by the town council of Manson, Calhoun county, Iowa.
Received 1061
Referred 1066
Passed 1143
Enrolled 1245
Signed 1255
417—To amend section thirty-six (36) of the code, relative to publication of acts of the legislature.
Received 1093
Referred 1095
418—Legalizing a special election held at Oskaloosa, Mahaska county, Iowa, on the sixteenth of August, 1905, for the purpose of voting a tax of five per centum on assessed value of property of said city.
Received 1070
Passed 1075
Enrolled 1151
Signed 1152
420—To repeal sections three hundred thirty-five (335) three hundred thirty-six (336), three hundred thirty-eight (338) of the code and three hundred thirty-seven (337) of the code as the same appears in the supplement to the code and to enact substitute therefor relating to jurors and grand jurors.
Received 1132
Referred 1135
421—To grant legislative assent to the more complete endowment and maintainance of the Agricultural Experiment Station of the Iowa State College of Agriculture and Mechanic Arts.
Received 1079
Referred 1094-1095
Passed 1171
Enrolled 1246
Signed 1255
422—To legalize the submission to the voters of the city of Creston,Iowa, of the question whether an ordinance entitled "An ordinance authorizing the Des Moines, Winterset and Creston Electric Railway Company to construct, maintain and operate by electricity or other power than steam, street and interuban railways in, across, over and along the streets of the city of Creston,Iowa, and defining the powers and duties of said company," should be approved and adopted.
Received 1133
Referred 1134
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424—To legalize the submission to the voters of the town of Macksburg, Iowa, of the question whether an ordinance entitled "An ordinance authorizing the Des Moines, Winterset and Creston Electric Railway Company to construct, maintain, and operate, by electric or other power than steam, street and interurban railways in, across, over and along the streets of the town of Macksburg, Iowa, and defining the powers and duties of said company," should be approved and adopted.
Received 1133
Referred 1134
Passed 1137-1138
Enrolled 1248
Signed 1255
425—To legalize the official acts of certain persons acting as notaries public.
Received 1132
Referred 1134
Passed 1138
Enrolled 1246
Signed 1255
426—To provide for the participation of the State of Iowa in the Jamestown Tercentennial exposition to be held on or near the waters of Hampton Roads, in the state of Virginia, in the year nineteen hundred seven in commemoration of the first permanent settlement made in the United States by English speaking people, in the year nineteen hundred seven.
Received 1145
Referred 1174
Motion to recall from committee lost 1213-1214
427—To amend section five thousand forty (5040) of the code, relating to breach of the Sabbath.
Received 1167
Referred 1174
Motion to consider lost1176-1177
428—To legalize the submission to the electors of the city of Albia of the question of establishing a free public library in said city.
Received 1132
Referred 1135
Passed 1211
Enrolled 1248
Signed 1255
429—To legalize the submission to the electors of Marshalltown of the question of granting a franchise to Petersen Heat, Light and Water Company, for the

H. F. Page.
construction and operation of a heating plant in said city.
Received 1187
Passed 1194
Enrolled 1248
Signed 1255

430—To legalize the submission to the electors of Webster City of the question of granting a franchise for a gas plant.
Received 1187
Passed 1193
Enrolled 1246
Signed 1255

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432—To legalize an administrators deed to certain real estate situated in Allamakee County, Iowa.
Received 1187
Passed 1192
Enrolled 1248
Signed 1255

433—To provide for general levy for state purposes.
Received 1209
Passed on file 1214
Amended and passed ..1218-1219
House concurs 1220
Passed on file 1220
Enrolled 1248
Signed 1255

HOUSE JOINT RESOLUTIONS.

Reception and Action.

No. Page.
1—Proposing an amendment to the constitution of the State of Iowa additional to section eighteen (18) of article one (1) of said constitution.
Received 245
Referred 249
Reported 691
Passed 989-990
Enrolled 1149
Signed 1152

4—Proposing the appointment of a commission to investigate the liability of the State of Iowa for injuries sustained by one, Ernest

No. Page
L. Ireland while an employee of the state at CedarFalls, Iowa, and to make report of its finding of fact and legal conclusions, together with a transcript of all testimo, ney,exhibits and any matter upon which said findings and conclusions are based; such report and recommendation to be made to the Thirty-second General Assembly not later than the first day of the convening thereof.
Received 1114
Referred 1122

HOUSE CONCURRENT RESOLUTIONS.

Appointment of joint committee to select additional enployes. Received, 1; Senate concurs, 8.

Requesting Secretary of State to furnish codes, code supplements and session laws to members of the 31st General Assembly. Received, 9; amended, 10; Senate concurs, 10; House concurs in amendments, 107; passed on file, 110.

Relative to holding joint convention, and inviting Governor to read his message. Received, 9; Senate concurs, 10.

Authorizing publication of 15,000 additional copies of Iowa official Register for year 1906. Received,56 Senate concurs, 59.

Relative to holding joint session to hear Ex-Governor Cameron of Virginia. commissioner of, and representing the "Tri-Centennial Exposition" of Jamestown. Received, 70; passed on file, 71; Senate concurs, 71.

Appointment of joint committee to investigate controversy between surety companies and clerks of district court and suggest needed legislation. Received, 71; passed on file, 71; Senate concurs, 72.

Relative to holding joint convention in honor of Ex-Governor Larrabees birthday, to listen to address by Ex-Gevernor Larrabee and other invited guests. Received, 94; Senate concurs, 94.

Relative to printing 10,000 copies of report of the board of control on the extent of tuberculosis in Iowa. Received, 111; referred, 112; reported, 250; adopted, 250; House concurs, 270; passed on file, 271.

Memorializing Iowa members of congress relative to giving the Interstate Commerce Commission power to fix transporation rates. Received, 115; referred, 117; reported with amendments, 370; amended, 422; considered, 434, 435, 436; amended and passed, 436-438; House concurs, 490; passed on file, 502.

Relative to all appropriations being made for one year only. Received, 179; Senate concurs, 188.

Relative to printing the report of the Highway Commission in pamphlet form. Received, 198; passed on file, 202; Senate concurs, 202.

Relative to discontinuance of introduction of bills after February 20, 1906. Received, 321; referred,323.

Appointment of joint committee to attend funeral, and draft resolutions on life and services of Hon. David B. Henderson. Received, 500; passed on file, 517.

Memorializing congress relative to improvement of Upper Mississippi river. Received, 572; passed on file, 581; Senate concurs, 581.

Endorsing action of the President and Congress in their approval of a second conference at the Hague for the promotion of international justice and peace. Received, 586; referred, 594; reported, 644; Senate concurs, 665.

Relative to printing programs, resolutions and speeches of the Henderson memorial joint session in pamphlet form and in the Journals. Received, 599; Senate concurs, 613.

Memorializing congress relative to granting pensions to troops in the service of Iowa, rendering service along the Iowa borders upon behalf of the general government during the war of the rebellion. Received, 682; referred, 687.

Appointment of joint committee to draft resolutions on life and services of L. G. Kinne. Received, 711; Senate concurs, 720.

Requiring certain enployes to remain after adjournment to complete and certify records of the 31st. General Assembly. Received, 1102; amended and adopted, 1124; House refuses to concur, 1125; Senate recedes, 1127,

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